



Central & South Planning Committee

Date:

TUESDAY, 26 JUNE 2018

Time:

7.00 PM

Venue:

COMMITTEE ROOM 5 -CIVIC CENTRE, HIGH STREET, UXBRIDGE

Meeting Details:

Members of the Public and Press are welcome to attend

this meeting

To Councillors on the Committee

Councillor Ian Edwards (Chairman)

Councillor David Yarrow (Vice-Chairman)

Councillor Shehryar Ahmad-Wallana

Councillor Mohinder Birah

Councillor Nicola Brightman

Councillor Roy Chamdal

Councillor Alan Chapman

Councillor Jazz Dhillon

Councillor Janet Duncan

Published: Monday, 18 June 2018

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This Agenda is available online at:

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Putting our residents first

Lloyd White
Head of Democratic Services
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Useful information for residents and visitors

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A useful guide for those attending Planning Committee meetings

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Petitions and Councillors

Petitions - Those who have organised a petition of 20 or more people who live, work or study in the borough, can speak at a Planning Committee in support of or against an application. Petitions must be submitted in writing to the Council in advance of the meeting. Where there is a petition opposing a planning application there is also the right for the applicant or their agent to address the meeting for up to 5 minutes.

Ward Councillors - There is a right for local councillors to speak at Planning Committees about applications in their Ward.

Committee Members - The planning committee is made up of the experienced Councillors who meet in public every three weeks to make decisions on applications.

How the Committee meeting works

The Planning Committees consider the most complex and controversial proposals for development or enforcement action.

Applications for smaller developments such as householder extensions are generally dealt with by the Council's planning officers under delegated powers.

An agenda is prepared for each meeting, which comprises reports on each application

Reports with petitions will normally be taken at the beginning of the meeting.

The procedure will be as follows:-

- 1. The Chairman will announce the report;
- 2. The Planning Officer will introduce it; with a presentation of plans and photographs;
- If there is a petition(s), the petition organiser will speak, followed by the agent/applicant followed by any Ward Councillors;

- 4. The Committee may ask questions of the petition organiser or of the agent/applicant;
- 5. The Committee debate the item and may seek clarification from officers:
- The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

About the Committee's decision

The Committee must make its decisions by having regard to legislation, policies laid down by National Government, by the Greater London Authority - under 'The London Plan' and Hillingdon's own planning policies as contained in the 'Unitary Development Plan 1998' and supporting guidance. The Committee must also make its decision based on material planning considerations and case law and material presented to it at the meeting in the officer's report and any representations received.

Guidance on how Members of the Committee must conduct themselves when dealing with planning matters and when making their decisions is contained in the 'Planning Code of Conduct', which is part of the Council's Constitution.

When making their decision, the Committee cannot take into account issues which are not planning considerations such a the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.

If a decision is made to refuse an application, the applicant has the right of appeal against the decision. A Planning Inspector appointed by the Government will then consider the appeal. There is no third party right of appeal, although a third party can apply to the High Court for Judicial Review, which must be done within 3 months of the date of the decision.

Chairman's Announcements

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the previous meeting

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- 4 Matters that have been notified in advance or urgent
- To confirm that the items of business marked Part I will be considered in Public and that the items marked Part 2 will be considered in private

PART I - Members, Public and the Press

Items are normally marked in the order that they will be considered, though the Chairman may vary this. The name of the local ward area is also given in addition to the address of the premises or land concerned.

Applications with a Petition

	Address	Ward	Description & Recommendation	Page
6	2A Cherry Grove - 25666/APP/2018/1721	Brunel	Retention of existing garage	9 - 16
			Recommendation: Refusal	88 - 92
7	2 Dunsmore Close, Hayes - 43764/APP/2018/1254	Yeading	Conversion of roof space to habitable use to include a rear dormer.	17 - 24 93 - 96
			Recommendation: Refusal	
8	2 Dunsmore Close, Hayes -	Yeading	Part two storey, part first floor side extension.	25 - 32
	43764/APP/2018/1257			97 - 100
			Recommendation: Refusal	

Applications without a Petition

	Address	Ward	Description & Recommendation	Page	
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9	47 Heath Road - 21236/APP/2018/1863	Hillingdon East	Conversion of attached garage to habitable use, including alterations to front elevation.	33 - 40 101-107
			Recommendation: Approval	
10	Unit 1, Swan Wharf, Waterloo Road - 41449/APP/2018/930	Uxbridge South	Change of use of ground floor from light industrial / office use (B1) to tattoo parlour (Sui Generis)	41 - 50 108-116
	41443/AFF/2010/930		Recommendation: Approval	100-110

PART II - MEMBERS ONLY

The reports listed below are not made public because they contain confidential or exempt information under paragraph 6 of Part 1 of Schedule 12 A to the Local Government (Access to Information) Act 1985 as amended.

11	ENFORCEMENT REPORT	51 - 56
12	ENFORCEMENT REPORT	57 - 64
13	ENFORCEMENT REPORT	65 - 72
14	ENFORCEMENT REPORT	73 - 78
15	ENFORCEMENT REPORT	79 - 86

PART I - Plans for Central and South Planning Committee

Plans pack pages 87 - 116



Agenda Item 3

<u>Minutes</u>



CENTRAL & South Planning Committee

6 June 2018

Meeting held at Committee Room 5 - Civic Centre, High Street, Uxbridge

	Committee Members Present: Councillors Ian Edwards (Chairman), David Yarrow (Vice-Chairman), Shehryar Ahmad-Wallana, Mohinder Birah, Nicola Brightman, Roy Chamdal, Alan Chapman, Jazz Dhillon and Janet Duncan LBH Officers Present: Glen Egan (Office Managing Partner - Legal Services), Meghji Hirani (Planning Contracts & Planning Information), James Rodger (Head of Planning and Enforcement), Anisha Teji (Democratic Services Officer) and Alan Tilly (Transport and Aviation Manager)
21.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	There were no apologies for absence.
22.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2) Councillor Edwards and Councillor Duncan declared non pecuniary interests in item 6 – 9 Maygoods Green, as they sat as governors on the same primary school governors
	board as the petitioner. Councillor Edwards and Councillor Duncan both confirmed that there was no conflict of interest.
23.	TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)
	RESOLVED: That the minutes of the meeting held on 22 May 2018 was approved as an accurate record.
24.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)
	None.
25.	TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (Agenda Item 5)
	It was confirmed that all items would be heard in Part I.
26.	9 MAYGOODS GREEN, COWLEY - 73573/APP/2018/621 (Agenda Item 6)
	Officers introduced the application and provided an overview. The application sought

planning permission for the installation of vehicular crossover and creation of hardstanding (part retrospective). Officers made a recommendation for refusal.

A petitioner, with 24 signatures from residents living in The Green spoke in objection the application. The petitioner explained that around The Green parking was already extremely limited, particularly in the evenings, during the weekends and also as a result of nearby streets having parking management schemes. The area was also used by students and holiday makers who parked their cars for long periods, causing additional parking stress. If permission was given to this drop curb, it would displace 10 -12 other vehicles that belonged to residents for just one vehicle to be parked on a driveway. Parking in the area was not ideal, however, neighbours worked together to self-govern the parking provision to ensure everyone could park their cars. Prior to the commencement of this planning process, there had been no issues or targeted parking tickets. Parking in the turning head was much less disruptive than parking around The Green. The turning head had been used on The Green for years and the petitioner submitted that it was wide enough to drive around it and allow access for vehicles. Two petitions were submitted at the same time, the other petition sought to review the parking issues on The Green for a longer term solution for residents. The petitioner hoped that the planning committee would refuse the application as per the officer's recommendations.

In response to a Member's question about whether the Council had responded in relation to the parking issues raised, the petitioner confirmed that it had not. The Chairman clarified that this was a matter that would need to be considered outside of Committee and encouraged Ward Councillors to take this forward.

The applicant addressed the Committee and provided a chronology of events. The applicant applied to the highways dropped kerbs team for approval of a vehicle crossing on 7 November 2017, by completing the online application, which did not notify her that she needed to apply for planning permission. The approval for the domestic vehicle crossing was confirmed in writing on 3 December 2017. Following this, the applicant received a quotation for work and instructed a company to commence work; on the basis the application had been granted. The work had been completed in majority and only 5% of the work still remained outstanding. The applicant informed the Committee that on 14 February 2018, she received an email from a project engineer stating that the application had been approved prematurely and planning permission was required. No prior notification or stipulation had been indicated previously. A further email was received on 16 February 2018 which confirmed that the application had been approved ahead of planning permission and such an error was due to an internal process failure. The email advised that all work should cease. The applicant submitted a further application for planning permission on 7 March 2018 and explained that she had not been reimbursed for any costs that she paid and sought to readiness the situation without causing any further delay, stress and anxiety. The applicant asked for the application to be approved, allow the work to continue with the original permission granted or be reimbursed for her costs.

The Chairman read in to the record a statement from the local Ward Councillor, Councillor Mills, which stated:

"Unfortunately I am unable to attend in person this evening; however I would like to add my support to the petitioners in objecting to this application. As has been set out in the report, Maygoods Green is subject to high levels of on street parking stress, and given the lack of public transport nearby there is a large reliance from residents on vehicle usage. The location of this property is in a corner of Maygoods Green, which contains the access to 4 maisonettes and a further 3 family homes. Hopefully images shown to you by officers will show the current parking situation in this corner, which has been self-governed responsibly by neighbours over the years. Adding a dropped kerb here would remove the parking possibility for all of these cars and there is nowhere else on the Green for them to be displaced to. I trust members see the detrimental impact this proposal would have, and trust they will follow the officer's recommendation and refuse the application."

The Chairman reminded the Committee that many matters raised were outside of the Committee's remit but advised Members to solely consider the planning application and any material planning considerations raised in accordance with the policies and guidance given.

The Legal Advisor advised the Committee that illegal parking was not a relevant planning consideration. The planning considerations were mentioned in the report and reiterated that the application needed to be determined on it merits in accordance with policies and guidance. The Legal Advisor clarified that the Committee ought not to take in to account unlawful parking spaces.

The Head of Planning confirmed that there would be the loss of one legal parking space. The Transport and Aviation Manager informed the Committee that there were concerns regarding road safety, the self governing arrangements and the dimensions of the turning heads. The Transport and Aviation Manager explained to the Committee why the cars in the images provided in the presentation showed unsafe parking and clarified that there would be a loss of one parking space.

Members asked for clarification on how many spaces would be lost. Officers confirmed that the turning head currently provided legal parking for two vehicles. With the drop curb that would reduce to one vehicle, the other vehicle would be able to park off street.

Members sympathised with residents, particularly given the additional parking stress from students, commuters and holidaymakers. Members accepted that this reduced the amount of available parking for residents and commended residents for working together to manage parking in the area. However, there were concerns regarding the accessibility of emergency vehicles being able to access properties, the accessibility for people with disabilities and the unsafe parking arrangements in the area. The main concern was safety and the area urgently needed sorting out by way of a parking management scheme.

Members questioned whether it would be detrimental to highways safety if the Committee was to approve the application. Officers confirmed that road safety would be reduced.

Members asked for clarification on whether this would create an undesirable precedent. Officers confirmed that this application had been discussed at length and the recommendation for approval took into account a number of factors such as unsafe parking and potential changes to the current arrangements. It would be preferable for residents to apply to the Council for a parking management scheme.

Members proposed to overturn the officer's recommendation on the grounds of road safety and add an informative for the Council to help residents with the parking situation. Members also delegated to the Head of Planning to check that no additional conditions needed to be added.

When put to a vote, the officer's recommendation was overturned and Members agreed

the above approval reasons. There were seven votes in favour and one abstention.

RESOLVED:

- 1) That the application be approved.
- 2) That the Head of Planning clarify whether any additional conditions need to be added, subject to the agreement of the Chairman and Labour Lead.

27. | **105 SWEETCROFT LANE, HILLINGDON - 2703/APP/2017/2579** (Agenda Item 7)

Officers introduced the application and provided an overview. Planning permission was sought for the conversion of single dwelling to a seven-bed house in multiple occupation.

Officers highlighted the addendum and made a recommendation for approval.

The Chairman read into the record a written submission from the petitioner, which stated:

"My questions are:

- 1. If the only change to present use of 105 Sweetcroft Lane is to add another bedroom, why does there need to be a change of status to HMO?
- 2. At present 105 Sweetcroft Lane is a home for people with learning disabilities and, is as the paperwork states, a valuable asset to the community. My concern is, that once the status is changed to HMO, this could change and the dwelling used for other reasons. What guarantees can be put in place to ensure that this does not occur?
- 3. What guarantees do we have, that the number of occupants will not exceed 7? The report states that the number of occupants could be 14, but a limit of 10 is in place at present. Even an increase of four occupants is a substantial increase and fourteen occupants is over a 100% increase."

The applicant addressed the Committee and explained that the property was being used as home for people with learning disabilities. There were currently six residents living in the property and they had been living there for 18 months. In order to increase from six to seven residents, there needed to be an application for the change of use. This is why the application for a HMO had been put forward. There was a high demand from the Social Services Department from the London Borough of Hillingdon.

In response to Member questions, the applicant clarified that there were no members of staff resident on site and in terms of staff movement there was usually one core staff member on shift but usually approximately three to four movements a day.

The Chairman confirmed that the application was for an additional bedroom but the matter had been slightly complicated by the wording of condition three where it allowed the occupation of the building to go up to 10. There was also a concern that the number of support staff attending would increase if the occupation was to increase. Officers indicated there would be not be an issue in relation to this, save for the reason in the addendum to be amended to reflect this.

Members were mindful that this application was an easy way to change the use to a student HMO. However, after being made aware of the current use and operation, Members were minded to approve the application subject to limiting the occupancy to a maximum of seven. This was due to the possible impact on residential amenity. Members considered strengthening the condition to a HMO for supported living, but

were advised that it would be difficult to formulate a form of wording that would be supported by a planning inspector.

The officer's recommendation, subject to delegated authority to the Head of Planning and Enforcement to confirm the final wording of condition three restricting the occupancy, was moved, seconded, and unanimously agreed when put to a vote.

RESOLVED: That the application be refused, subject to delegated authority to the Head of Planning and Enforcement to confirm the wording of condition three restricting the occupancy.

28. GARAGE SITE ADJACENT TO 45 CORWELL GARDENS, HILLINGDON - 72968/APP/2018/199 (Agenda Item 8)

Officers introduced the application and provided an overview. Planning permission was sought for a two storey building with habitable roof space, parking and amenity space for use 4x two bed flats and 2 x studio flats. Officers made a recommendation for approval.

Members supported the officer's report, and moved and seconded the officer's recommendation. Upon being put to a vote, the recommendation was unanimously agreed.

RESOLVED: That the application be approved.

29. THE PRINCE ALBERT PH PIELD HEATH ROAD, HILLINGDON - 704/APP/2016/3689 (Agenda Item 9)

Officers introduced the application and provided an overview of the application. Planning permission was sought for the variation of condition 2 of planning permission Ref: 704/APP/2015/1071 Dated 5 October 2015) to allow internal and external alteration to the layout and design of the building. Officers made a recommendation for approval.

Members supported the officer's report and commented that it was good to fill the open space. Members queried what on balance in the report meant. Officers confirmed that the term on balance related to the conservation officer's comments. Members discussed the privacy of the residents on the ground floor and the lift, officers confirmed that there was an obscure glazing condition and amendments could be made to ensure windows were part of the obscure glazing.

Members moved and seconded the officer's recommendation. Upon being put to a vote, the recommendation was unanimously agreed.

RESOLVED: That the application be approved, subject to the amendments in relation to obscure glazed windows and the lift.

30. **28 OAKENE ROAD, HILLINGDON - 4247/APP/2018/1451** (Agenda Item 10)

Officers introduced the application and provided an overview. Planning permission was sought for a part two storey, part single storey side/ rear extension and conversion of a 3-bed dwelling to 1x 3- bed and 1x 1- bed dwellings with associated parking and amenity space. Officers made a recommendation for refusal.

Members considered strengthening condition one to ensure that there was not a design

change and strengthening the refusal reason. Members moved and seconded the officer's recommendation. Upon being put to a vote, the recommendation was unanimously agreed.

RESOLVED:

- 1) That the application be refused.
- 2) That authority be delegated to the Head of Planning to strengthen the wording of condition one subject to the agreement of the Chairman and Labour Lead.

31. LAND FORMING PART OF 84 CHURCH ROAD, HAYES - 72944/APP/2018/1225 (Agenda Item 11)

Officers introduced the application and provided an overview. Planning permission was sought for a two bed, detached dwelling with associated parking and amenity space. Officers made a recommendation for refusal.

Members considered the planning harm and whether the desire to create another housing unit outweighed the fact that it did not strictly comply with policy. Members proposed to overturn the officer's recommendation on the grounds that the property was not particularly out of character in the neighbouring areas. On balance, there was no excessive or material harm.

When put to a vote, the officer's recommendation was overturned. This was unanimously agreed.

RESOLVED:

- 1) That the application be approved.
- 2) That the Head of Planning clarify whether any conditions need to be added, subject to the agreement of the Chairman and Labour Lead.

32. LESSER BARN HUBBARDS CLOSE, HILLINGDON - 5971/APP/2017/4190 (Agenda Item 12)

Officers introduced the application and provided an overview of the application. Planning permission was sought for the installation of two additional first floor windows to east elevation, minor realignment of ground floor opening and increase in roof, height.

Officers highlighted the addendum and made a recommendation for approval.

Members supported the officer's report, and moved and seconded the officer's recommendation. Upon being put to a vote, the recommendation was unanimously agreed.

RESOLVED: That the application be approved.

33. LESSER BARN HUBBARDS CLOSE, HILLINGDON - 5971/APP/2017/3478 (Agenda Item 13)

Officers introduced the application and provided an overview of the application. Planning permission was sought for the variation of consition 2 Variation of Condition 2 (approved plans) of planning permission ref: 5971/APP/2016/3922, dated 31/05/2017

(Rebuilding of existing barn with internal and external alterations to create two three-bedroom dwellings with associated parking and landscaping) for two additional first floor windows to east (front) elevation, minor realignment of ground floor openings and increase in roof height

Officers highlighted the addendum and made a recommendation for approval.

Members supported the officer's report, and moved and seconded the officer's recommendation. Upon being put to a vote, the recommendation was unanimously agreed.

RESOLVED: That the application be approved.

The meeting, which commenced at 7.00 pm, closed at 8.17 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on 01895 277655. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings.



Agenda Item 6

Report of the Head of Planning, Transportation and Regeneration

Address 2A CHERRY GROVE HILLINGDON

Development: Retention of existing garage

LBH Ref Nos: 25666/APP/2018/1721

Drawing Nos: Block Plan (1:500)

MAY/18/01

Location Plan (1:1250)

Date Plans Received: 10/05/2018 Date(s) of Amendment(s):

Date Application Valid: 10/05/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application property is a corner plot which comprises a detached bungalow located on the South East side of Cherry Grove which lies within the development area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

The site has an existing wide footpath crossing to hardstanding at the front of the property and garaging to the side. There is a low wall at the very front, and a higher wall at the back of pavement as the site continues into West Drayton Road. There is a flat roof outbuilding at the front of the property behind the higher wall. This is described as a garage, the vehicles using it would presently enter from the hardstanding as the door is on the North East side.

1.2 Proposed Scheme

This application for consent is for the retention of the existing garage sited within the front garden. The proposed garage measures 5.5 metres in width, 5 metres in depth and is characterised by a flat roof measuring 2.5 metres in height.

The garage is constructed from a mixture of timber cladding, metal framing and UPVC.

1.3 Relevant Planning History

25666/APP/2016/3203 2a Cherry Grove Hillingdon

Detached garage to side (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 05-10-2016 Refused **Appeal:**

25666/APP/2016/4145 2a Cherry Grove Hillingdon

Detached garage involving demolition of existing garage

Decision Date: 15-02-2017 Refused **Appeal:**

25666/APP/2017/1373 2a Cherry Grove Hillingdon

Extension to existing garage

Decision Date: 12-06-2017 Refused **Appeal:**

Comment on Planning History

25666/APP/2017/1373 - Extension to existing garage was refused for the following reasons :

The proposed garage enlargement, by reason of its siting in this open prominent position, size, scale, bulk, design and proximity to the boundary, would result in a cramped appearance to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

25666/APP/2016/4145 - Detached garage involving demolition of existing garage was refused for the following reasons:

- 1. The proposed garage, by reason of its siting in this open prominent position, size, scale, bulk, design and proximity to the boundary, would result in a cramped appearance to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.
- 2. The proposed location for the garage would indicate that a drop kerb would be required which in the position indicated would be detrimental to highway and pedestrian safety contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

31 neighbouring properties were consulted by letter and a site notice was displayed to the front of the site. Both methods of consultation expired 13.06.2018 with two responses and a petition with 21 signatures received.

One response raised no objection to the retention of the garage providing it was no higher than the boundary wall which fronts fronts the highway. Both the petition and the second response received are in favour of the retention of the garage.

4. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the street scene and locality, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

The application site has been subject to applications for the same development previously therefore it is the responsibility of the applicant to take into consideration the comments and points for refusal in previous decisions issued by the council when submitting an application for the same or similar development.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The Councils HDAS: Residential Extensions discusses detached outbuildings at section 9. The building needs to be related to normal residential activities ancillary to the main house such as storage use, a children's playroom, gym or hobby room and cannot be used for sleeping purposes or for separate cooking or bathroom facilities for self-contained accommodation. The outbuilding must also leave a practical amount of garden space for the main house. This should be 100 square metres for a 4 bedroom house. The outbuilding should be smaller than the house rather than the other way around. It is considered that this analysis should be with the original dwelling house as opposed to a greatly extended dwelling house.

For the purposes of applying Class E the term 'required' should be interpreted as 'reasonably required' and not on the 'unrestrained whim' of the occupier. This strongly suggests that an applicant/agent has to explain the purpose of the building to show whether it is reasonably required, or not. The scale needs to match the requirement.

The submitted plans label the use a garage and incorporates a front up and over metal door suitable for parking a vehicle. The footprint of the outbuilding measures approximately 30 square metres. The original dwelling had a footprint of approximately 130 sq m.

In respect of the proposed outbuilding, section 9.0 of the adopted HDAS guidance advises that outbuildings should be positioned as far as possible from the main house, and be set in from the side boundaries by 0.5 m. Windows and doors should also be restricted to the elevation facing the rear of the host dwelling.

The proposed outbuilding is located in a very prominent position forward of the front elevation and whilst it is noted that there was a pre-existing building, the building now proposed (and built on site) is of a greater size and would be much more prominent visually from both Cherry Grove and West Drayton Road. It would appear as an incongruous structure in the street scene. Thus, the proposal is considered unacceptable as by reason of its siting in this open prominent position, size, scale, bulk, design and proximity to the boundary, it would result in a cramped appearance to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

The use of the proposal is labelled as a garage in which it is presumed to be used for parking a vehicle, it is noted that there is sufficient amount of parking space within the property's front drive and it is evident from a site visit that there is space for up to 4 parking spaces existing. In refusing application (Ref: 25666/APP/2016/4145) the officer highlighted the likeliness of a crossover being required closer to the proposed garage for which the door fronted the highway. Concerns were raised by the councils Highways Officer who stated the crossing would be very close to the junction with West Drayton Road and would not provide sufficient sign lines for the residents or the pedestrians.

The proposed plans demonstrate the garage door has been re-positioned to the side elevation which faces North towards the adjoining electricity substation and thus the existing crossover could be utilised.

The proposal is therefore contrary to Policy AM14 and AM7 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

Plans indicate that following the construction of the detached garage approximately 198.74 square metres of private amenity space would be retained for the occupiers of the host dwelling. The host dwelling would provide 4 bedrooms in total which would create a requirement for 100 m2 of private amenity space. As such, the proposal would comply with this standard.

This application fails to address the inappropriate location concern raised by the 2016 refusal and therefore this application is recommended for refusal.

6. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed garage, by reason of its siting in this open prominent position, size, scale, bulk, design and proximity to the boundary, would result in a cramped and incongruous appearance to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15, BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

- On this decision notice policies from the Councils Local Plan: Part 1 Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.
- In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. The Council's supports pre-application discussions.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Standard Informatives

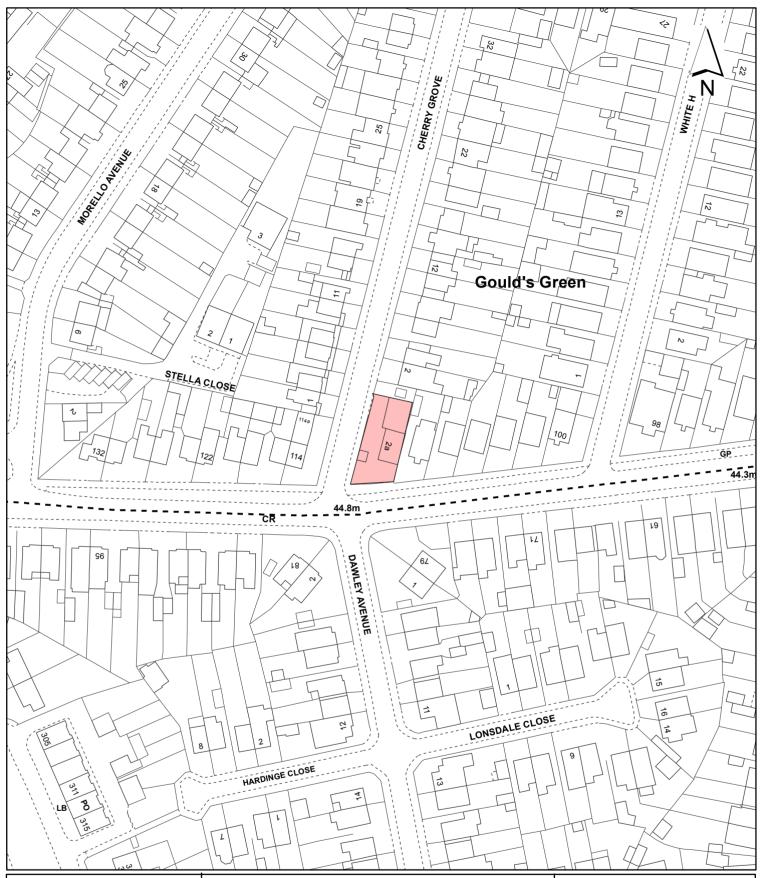
The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

Part 1 Policies:

PT1.BE1	(2012) Built Environment
Part 2 Policies:	
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

Contact Officer: Christopher Brady Telephone No: 01895 250230







Site boundary

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Site Address:

2A Cherry Avenue

Planning Application Ref: 25666/APP/2018/1863 Scale:

1:1,250

Planning Committee:

Central & Sorethe 15

Date:

June 2018

LONDON BOROUGH OF HILLINGDON **Residents Services**

Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111





Agenda Item 7

Report of the Head of Planning, Transportation and Regeneration

Address 2 DUNSMORE CLOSE HAYES

Development: Conversion of roofspace to habitable use to include a rear dormer

LBH Ref Nos: 43764/APP/2018/1254

Drawing Nos: MG/2/2018/B

MG/2/2018/A

Date Plans Received: 04/04/2018 Date(s) of Amendment(s):

Date Application Valid: 04/04/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application property is a detached dwelling located on the South Eastern side of Dunsmore Close, Hayes. The principle elevation of the property faces West. The site benefits from a large rear garden, with an outbuilding to the far end, and backs onto the residential gardens of properties on Fellowes Close. The site has been previously extended by way of a wraparound single storey side/rear extension.

The site lies within the Developed Area as identified within the Hillingdon Local Plan (Saved UDP Policies (November 2012).

1.2 Proposed Scheme

The application seeks planning permission for the conversion of roof space to habitable use to include a rear dormer.

1.3 Relevant Planning History

43764/APP/2008/1192 2 Dunsmore Close Hayes

Conversion of roofspace to habitable use involving construction of a front dormer.

Decision Date: 29-07-2008 Refused **Appeal:**

Comment on Planning History

43764/APP/2008/1192 - REFUSAL - A full application was submitted proposing for the conversion of roofspace to habitable use, including a front dormer. The application was refused on the basis that it would constitute a bulky and incongruous form of design, it would result in overlooking and loss of privacy and would fail to sustain adequate private amenity space for the occupiers of 2 Dunsmore Close.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

Central & South Planning Committee - 26th June 2018 PART 1 - MEMBERS, PUBLIC & PRESS

3. Comments on Public Consultations

7 neighbouring properties were consulted via letter dated 18.04.18 and a further site notice was displayed which expired on 18.05.18.

By the end of the 21 day consultation period 3 letters and a petition with 21 signatories received. The concerns raised can be summarised as follows:

- 1. The development would cause a loss of sunlight and overshadowing of the neighbouring gardens.
- 2. Overbearing outlook.
- 3. Loss of privacy.
- 4. Overdevelopment of the application site.
- 5. Landscape concerns.
- 6. Hazardous construction waste, dust, noise, vibration, pollution, hazardous air quality in the neighbourhood.
- 7. Loss of value of neighbouring property.

Planning officer comments: Material planning concerns will be addressed in the main body of this report.

4. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area, the impact on residential amenity of the neighbouring dwellings, provision of acceptable residential amenity for the application property and

parking provision.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the layout and appearance of new development should "harmonise with the existing street scene or other features of the area." The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The Council's adopted Supplementary Planning Document (SPD) HDAS: Residential Extensions states at Paragraph 7.4:

"Rear roof slopes which are only visible from surrounding gardens do impact on residential areas since

these affect the character and appearance of a residential area. It is just as important for such roof extensions to relate well to the proportions, roof forms and massing of the existing house and its neighbours as elsewhere."

It goes on to state in Paragraph 7.5:

"It is important to create an extension that will appear secondary to the size of the roof face within which it will be set. Roof extensions that would be as wide as the house and create the appearance of an effective flat roofed third storey will be refused permission."

Paragraph 7.7 requires rear dormer windows to be set a minimum of 0.3m down from the ridge, 0.3m above the eaves and at least 0.5m from the sides of the roof but in Paragraph suggests that on larger detached and semi-detached houses these set-ins should be increased to at least 1m.

The proposed dormer would have a width of 4.4 m and a height of 2.4 m. The dormer is set in from the eaves by 0.8 m, down from the ridge by 0.3 m and from the sides by 0.5 m and 0.7 m. Whilst it may be argued that the proposal complies with the minimum set in requirements set out in the Council's adopted Supplementary Planning Document (SPD) HDAS: Residential Extensions, the proposed dormer would extend virtually the full width and height of the original dwelling. Paragraph 7.5 is clear in its requirement that the extension should appear secondary to the size of the roof face within which it is set and that those that would be as wide as the house and create the appearance of an effective flat roofed third storey will be refused permission. In this case it is considered that the dormer is not subordinate to the roof face but in effect results in a development which is neither secondary or proportionate to the main roof slope and would give the appearance of an effective flat roofed third storey.

As such it is considered that the proposal overall significantly increases the scale and bulk of the original house and is not subordinate to the original dwelling and out of character with the design and appearance of the original and adjoining dwellings and is detrimental to the visual amenity of the street scene and the wider area. Therefore the proposal fails to accord with the requirements of Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Section 7.0 of the adopted

Supplementary Planning Document (SPD) HDAS: Residential Extensions.

The rear dormer is not considered to result in an unacceptable loss of light, outlook or privacy to occupants of adjacent dwellings. The proposed roof extension is not considered to constitute an un-neighbourly form of development and as such, the proposal complies with Policies BE20, BE21 or BE24 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

The conversion of the roofspace to habitable use is considered to create an additional bedroom. Therefore it is considered that after development the property would result in a 4+ bedroom dwelling.

In terms of the garden area at least 100 square metres of rear private garden should be retained to provide adequate amenity space for a 4+ bedroom dwelling, which is what the dwelling would be following the extension. The proposal would retain approximately 54 square metres of private amenity space. Although it is recognised that the development would not result in a further reduction of the usable rear amenity area, it would result in the creation of an additional bedroom. Whilst a 3 bedroom property requires 60 square metres of private rear garden space (closer to what is available), with an additional bedroom this requirement increases to 100 square metres. As such this space does not provide a reasonable standards of amenity space for the occupiers of the extended dwelling. The proposal would thus be contrary to Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). It is not considered that this level of deficiency is offset by any public open space or facilities nearby.

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan (2016).

The parking provision would remain unaffected by the proposal.

The application is recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The rear dormer window, by reason of its size, scale, bulk, and design, would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposed extension, by virtue of its failure to maintain an adequate amount of private usable external amenity space for the occupiers of the extended property, would result in

an over-development of the site detrimental to the residential amenity of existing and future occupiers. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

- On this decision notice policies from the Councils Local Plan: Part 1 Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.
- In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Standard Informatives

- The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

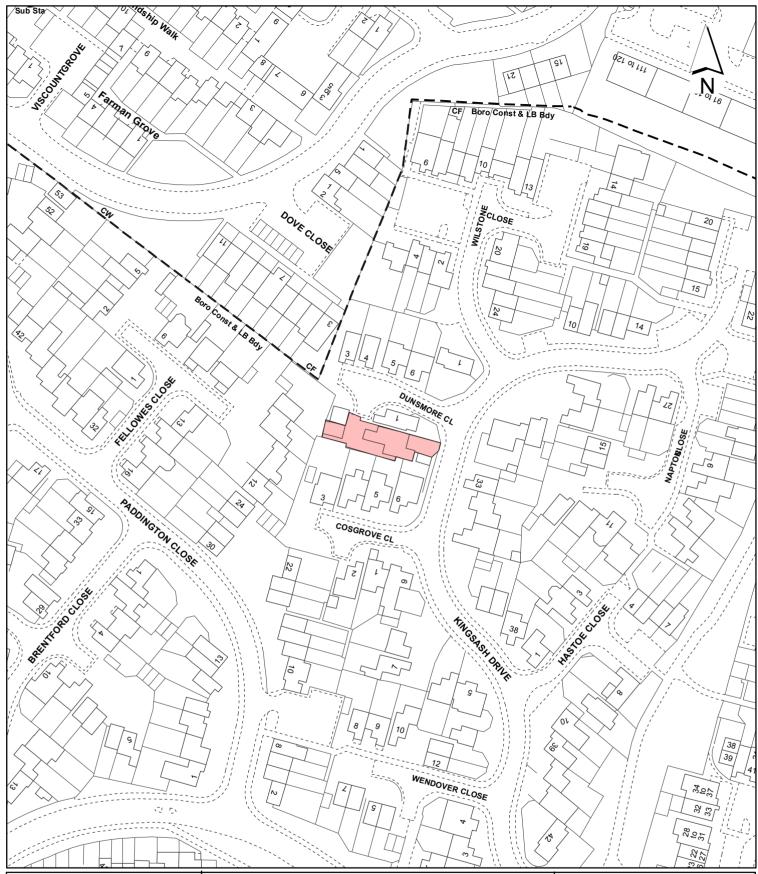
AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street

	scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

Telephone No: 01895 250230

Contact Officer: Nurgul Kinli



Notes:



Site boundary

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2 Dunsmore Close Hayes

Planning Application Ref: 43764/APP/2018/1254

Scale:

1:1,250

Planning Committee:

Central & Sorethe 23

Date:



LONDON BOROUGH

OF HILLINGDON

Residents Services

Planning Section
Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111

June 2018



Agenda Item 8

Report of the Head of Planning, Transportation and Regeneration

Address 2 DUNSMORE CLOSE HAYES

Development: Part two storey, part first floor side extension

LBH Ref Nos: 43764/APP/2018/1257

Drawing Nos: MG/2/2018/A

MG/2/2018/B Rev. 1

Date Plans Received: 04/04/2018 Date(s) of Amendment(s):

Date Application Valid: 23/04/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application property is a detached dwelling located on the South Eastern side of Dunsmore Close, Hayes. The principle elevation of the property faces West. The site benefits from rear garden, with an outbuilding to the far end, and backs onto the residential gardens of properties on Fellowes Close. The property has been previously extended by way of a wrap around single storey side/rear extension.

The site lies within the Developed Area as identified within the Hillingdon Local Plan (Saved UDP Policies (November 2012).

1.2 Proposed Scheme

The application seeks planning permission for the erection of a part two storey, part first floor side extension.

1.3 Relevant Planning History

43764/89/1948 2 Dunsmore Close Hayes

Erection of a two-storey side extension

Decision Date: 02-02-1990 Refused **Appeal:**26-SEP-90 Dismissed

43764/A/97/0283 2 Dunsmore Close Hayes

Erection of a two storey side extension

Decision Date: 11-04-1997 Refused **Appeal:**

43764/APP/2002/2173 2 Dunsmore Close Hayes

ERECTION OF A DETACHED GARAGE IN THE FRONT GARDEN

Decision Date: 13-08-2003 Approved **Appeal:**

43764/APP/2005/50 2 Dunsmore Close Hayes

DETAILS OF MATERIALS AND LANDSCAPE SCHEME, IN COMPLIANCE WITH CONDITIONS 2 AND 5 OF PLANNING PERMISSION REF:43764/APP/2002/2173 DATED 13/08/2003

Central & South Planning Committee - 26th June 2018 PART 1 - MEMBERS, PUBLIC & PRESS

(ERECTION OF A DETACHED GARAGE IN FRONT GARDEN)

Decision Date: 21-02-2005 Approved **Appeal:**

43764/APP/2008/1192 2 Dunsmore Close Hayes

Conversion of roofspace to habitable use involving construction of a front dormer.

Decision Date: 29-07-2008 Refused **Appeal:**

43764/APP/2018/1254 2 Dunsmore Close Hayes

Conversion of roofspace to habitable use to include a rear dormer

Decision Date: Appeal:

43764/B/97/1239 2 Dunsmore Close Hayes

Erection of a single storey side, single storey rear extension and conversion of existing garage to a habitable room

Decision Date: 08-10-1997 Approved **Appeal:**

Comment on Planning History

43764/APP/2008/1192 - REFUSAL - A full application was submitted proposing the conversion of roofspace to habitable use, including a front dormer. The application was refused on the basis that it would constitute a bulky and incongruous form of design, it would result in overlooking and loss of privacy and would fail to sustain adequate private amenity space for the occupiers of 2 Dunsmore Close.

43764/APP/2018/1254 - This is a current application proposing the conversion of roof space to habitable use to include a rear dormer.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

7 neighbouring properties were consulted via letter dated 01.05.18 and a site notice was displayed which expired on 31.05.18.

By the end of the 21 day consultation period 4 letters and a petition with 21 signatories received. The concerns raised can be summarised as follows:

- 1. The development would cause a loss of sunlight and overshadowing of the neighbouring gardens.
- 2. Overbearing outlook.
- 3. Loss of privacy.
- 4. Overdevelopment of the application site.
- 5. Noise from construction.

Officer Comment: The first four concerns are all material planning concerns and will be considered in the main body of this report. Construction noise is dealt with by other

legislation.

4. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the street scene and locality, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

With regards to the proposed side extension, paragraph 5.1 of the Council's adopted HDAS SPD: Residential Extensions requires all extensions and buildings of two or more storeys to be set back a minimum of 1 m from the side boundary of the property for the full height of the building. This is to ensure the protection of the character and appearance of the street scene and the gaps between properties, preventing houses from combining visually to form a terraced appearance. Paragraph 5.3 gives advice that where two storey or first floor side extensions are proposed where the side of the house adjoins a road or open space, there may be some scope for flexibility on the set-in. A relaxation of the 1 m set-in

may be considered where the openness of the corner plot would be maintained and return building lines are not breached. Where an existing return building line exists, any extension should ensure that the openness of the area is maintained and the return building line is not exceeded.

The advice contained within the Council's guidance HDAS Residential Extensions requires side extensions to be subordinate in scale and to not exceed two thirds the width of the original dwelling and 0.5 m below the original roofline. The proposed extension would measure 2.6 m in width which is in compliance with the width guidance. The proposed development provides a 1.25 m gap between the flank wall of the proposed extension and the side boundary, and is set back from the projecting single storey front element by 2.6 m at ground floor and 3.6 m at first floor. It would be in line with the main two storey element at ground floor level and set back 1m at first floor. The height of the proposed development is set 0.4 m below the original roof level of the host dwelling. The roof to the proposed two storey element matches that of the host dwelling, with matching eaves. The extension would satisfactorily integrate with the appearance of the original dwellinghouse.

Given the height of the proposed extension and the set back, it is considered that the development would not have a negative impact upon the visual amenity of the site, appearing subordinate to the host property and would maintain the character of the surrounding area. Hence it is considered that the proposed extension is in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13, BE15 and BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

In terms of neighbouring amenities Policy BE20 requires any new development to be laid out so as to protect the daylight and sunlight levels of existing houses. Policy BE21 requires new extensions by virtue of their siting, bulk and proximity to not result in a significant loss of residential amenity to neighbouring properties and Policy BE24 should protect the privacy of the occupiers and their neighbours.

HDAS Residential Extensions requires a minimum of 1m set in from the side boundary to prevent visual coalescence with the adjoining neighbour and to ensure that the visual spacing between properties, which is characteristic of the road and the area is retained to some degree. Furthermore, the Hillingdon SPD states two storey extensions should always appear subordinate to the original house. Rear extensions will only be allowed where there is no significant over-dominance, over-shadowing, loss of outlook and light. Any extension at first floor level should not extend beyond a 45 degree line of sight taken from the nearest of the first floor window of any room of the neighbouring property.

Paragraph 5.14 states that "No direct overlooking will be permitted. Adequate distance should be maintained to any area from which overlooking may occur." There should be a minimum distance of 21 m maintained between facing habitable rooms. Furthermore, HDAS: Residential Layouts states that "where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible overdomination...15 m will be the minimum acceptable distance" between the flank wall and neighbouring rear wall.

The proposed two storey element would not protrude beyond the original rear building line of the property and hence would not infringe upon the 45 degree line of sight taken from the immediate neighbour. A distance of 26 m would be retained with neighbours on Fellowes Close and no windows to the side elevation facing Nos. 4, 5 and 6 Cosgrove Close have

been proposed. As such, it is not considered that the development would result in a loss of privacy or direct overlooking to adjoining neighbours. A 1.2 m set in is maintained from the proposed side flank wall and the boundary shared with properties fronting Cosgrove Close. In a situation where a two or more storey building abuts a property or its garden the council's policies require that adequate distance is maintained between the side wall of the proposed development and the rear of the existing properties in order to overcome possible overdomination. The distance required will be dependant on the bulk and size of the proposed building but generally, 15m is the minimum acceptable distance.

The side wall of the proposed extension, facing towards the rear and gardens of properties on Cosgrove Close would only have a separation distance of some 8 m. This distance falls considerably short of the minimum requirement of 15 m and it is considered that the development by reason of its size, scale, bulk and proximity would be detrimental to the amenities of the adjoining occupiers at 4 and 5 Cosgrove Close by reason of overdominance, visual intrusion and loss of outlook. Therefore the proposal would be contrary to policies BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

In terms of the garden area at least 100 square metres of rear private garden should be retained to provide adequate amenity space for a four bedroom dwelling, which is what the dwelling would be following the extension. The proposal would retain approximately 54 square metres of private amenity space. Although it is recognised that the development would not result in a further reduction of the usable rear amenity area, it would result in the creation of an additional habitable room. Whilst a 3 bedroom property requires 60 square metres of private rear garden space (closer to what is available), with an additional bedroom this requirement increases to 100 square metres. As such this space does not provide a reasonable standards of amenity space for the occupiers of the extended dwelling. The proposal would thus be contrary to Policy BE23 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). It is not considered that this level of deficiency is offset by any public open space or facilities nearby.

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

The parking provision would remain unaffected by the proposal.

The application is recommended for REFUSAL.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed extension, by reason of its size, scale, bulk and proximity would be detrimental to the amenities of the adjoining occupiers at 4 and 5 Cosgrove Close by reason of overdominance, visual intrusion and loss of outlook. Therefore the proposal

would be contrary to policies BE19 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposed extension, by virtue of its failure to maintain an adequate amount of private usable external amenity space for the occupiers of the extended property, would result in an over-development of the site detrimental to the residential amenity of existing and future occupiers. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

- On this decision notice policies from the Councils Local Plan: Part 1 Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.
- In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

Standard Informatives

- The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

Part 1 Policies:

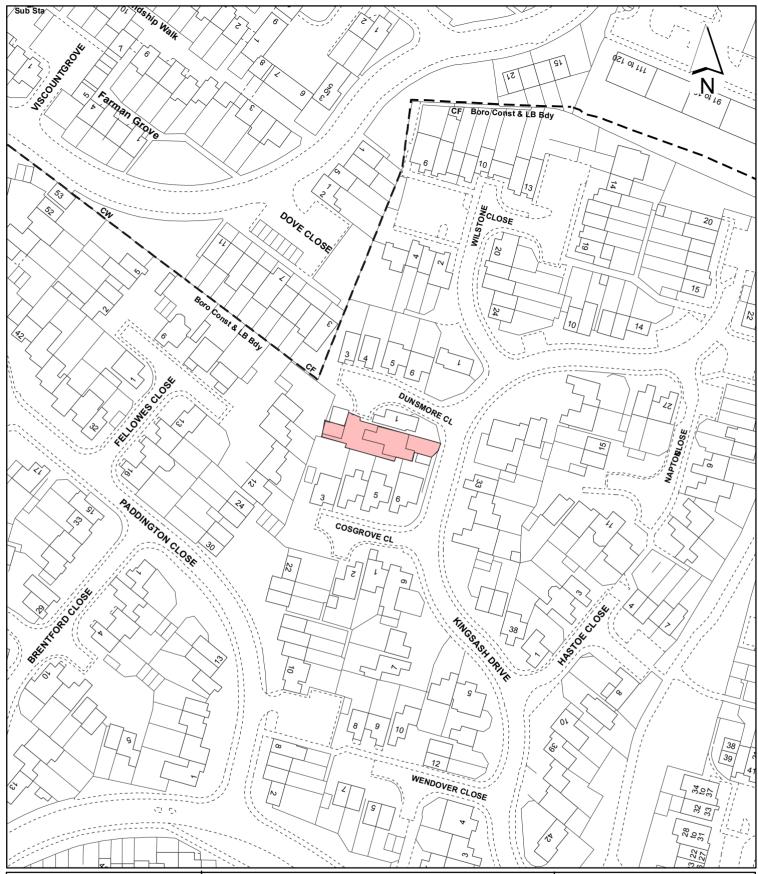
PT1.BE1 (2012) Built Environment

Central & South Planning Committee - 26th June 2018 PART 1 - MEMBERS, PUBLIC & PRESS

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

Contact Officer: Nurgul Kinli Telephone No: 01895 250230



Notes:



Site boundary

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2 Dunsmore Close Hayes

Planning Application Ref:
43764/APP/2018/1257

Scale:

1:1,250

Planning Committee:

Central & Soptinge 32

Date: June 2018

HILLINGDON

LONDON BOROUGH OF HILLINGDON Residents Services Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111

Report of the Head of Planning, Transportation and Regeneration

Address 47 HEATH ROAD HILLINGDON

Development: Conversion of attached garage to habitable use, including alterations to front

elevation

LBH Ref Nos: 21236/APP/2018/1863

Drawing Nos: EX-103-002

PL-103-002 EX-103-051 PL-103-051

Location Plan (1:1250)

Date Plans Received: 18/05/2018 Date(s) of Amendment(s):

Date Application Valid: 18/05/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application property comprises of a much extended two storey semi-detached dwelling located on the North Western side of Heath Road which lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). The property has been significantly extended by way of a two storey flat roofed rear extension and attached garage to the side. There is off street parking for two cars and the rear garden is flat and enclosed.

1.2 Proposed Scheme

The application seeks planning permission for the conversion of attached garage to habitable use, including alterations to front elevation.

1.3 Relevant Planning History

21236/APP/2017/4235 47 Heath Road Hillingdon

Single storey side/rear extension

Decision Date: 24-01-2018 Approved **Appeal:**

21236/APP/2018/1136 47 Heath Road Hillingdon

Conversion of existing garage to habitable use (Certificate of Lawful Development for Proposed

Development)

Decision Date: 01-05-2018 Refused **Appeal:**

21236/C/81/0166 47 Heath Road Hillingdon Householder development - residential extension(P)

Decision Date: 08-05-1981 Approved **Appeal:**

Comment on Planning History

21236/APP/2018/1136 - Conversion of existing garage to habitable use (Certificate of Lawful Development for Proposed Development) was refused for the following reason:

1. The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as Condition 2 of planning permission Ref: 21236/C/81/0166 requires the garage to be used for the accommodation of private motor vehicles only.

21236/APP/2017/4235 - Single storey side/rear extension. Approved and being implemented.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

2 neighbouring properties were consulted by letter dated and a site notice was displayed to the front of the site which expired on 26 June 2018.

1 letter of objection has been received raising concerns about the quality of the build of the approved extension and the use of non matching materials.

Ward councillor: Requests that this application be determined by Committee.

4. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement,

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the street scene and locality, and car parking provision.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The proposal involves the conversion of the attached garage into habitable accommodation with the replacement of the garage door with a window and the making good of the brickwork around. The proposed alterations to the front elevation are considered to respect the appearance of the front elevation of the existing dwelling. As a result it is considered that it would not have a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Condition 2 of planning permission Ref: 21236/C/81/0166 (residential extension) requires the garage to be used for the accommodation of private motor vehicles only. The intent of this condition was to ensure that the property retained sufficient off street parking. The frontage of the existing property is laid to hardstanding with a crossover serving this area. There is sufficient space to park two vehicles on the frontage in accordance with the Council's parking standards. Furthermore, the width of the existing garage falls short of the Council's up to date parking standards which requires a garage to measure 3 m in width. The loss of this garage for the parking of a car is not therefore considered to result in an increased demand for on street parking in this locality which does suffer from parking stress. The application is therefore considered acceptable in accordance with policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

The application is recommended for approval.

6. **RECOMMENDATION**

APPROVAL subject to the following:

1 HO1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL-103-002 and PL-103-051.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

3 HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES

- On this decision notice policies from the Councils Local Plan: Part 1 Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.
- 2 The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

Standard Informatives

- The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

- You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- 5 Your attention is drawn to the need to comply with the relevant provisions of the

Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning, Enviroment and Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

- You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning, Environment and Community Services Reception, Civic Centre, Uxbridge, UB8 1UW.

- Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- 9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -
 - A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours

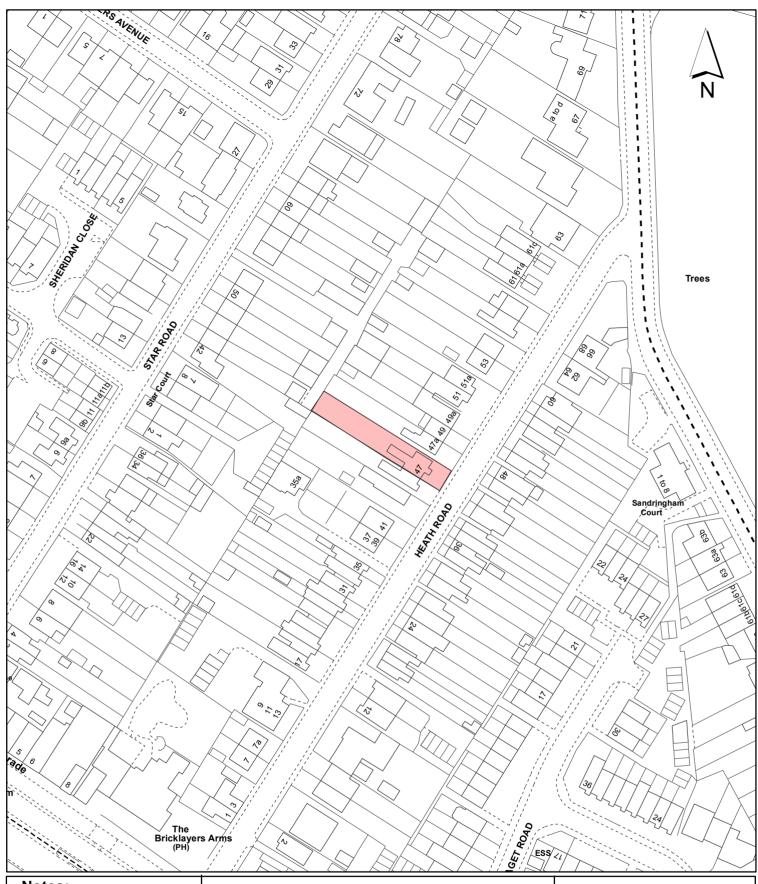
of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.

- B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
- C) The elimination of the release of dust or odours that could create a public health nuisance.
- D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

- You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact Highways Maintenance Operations, Central Depot Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Contact Officer: Nicola Taplin Telephone No: 01895 250230







Site boundary

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Site Address:

47 Heath Road

Planning Application Ref: 21236/APP/2018/1863 Scale:

1:1,250

Planning Committee:

Central & Soptinge 40

Date:

June 2018

LONDON BOROUGH OF HILLINGDON **Residents Services** Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



Report of the Head of Planning, Transportation and Regeneration

Address UNIT 1, SWAN WHARF WATERLOO ROAD UXBRIDGE

Development: Change of use of ground floor from light industrial/office use (B1) to tattoo

parlour (Sui Generis)

LBH Ref Nos: 41449/APP/2018/930

Drawing Nos: Location Plan (1:1250)

Block Plan (1:500)

Drainage Strategy & Impact Assessment

SW 01 SW 02 SW 03 SW 05 SW 04

Planning Statement

Date Plans Received: 12/03/2018 Date(s) of Amendment(s):

Date Application Valid: 27/03/2018

1. SUMMARY

Planning permission is sought to change the use of a ground floor commercial unit from light industrial/office use (Use Class B1) to a tattoo parlour which is a sui generis use.

The principle of development, is considered to be acceptable as the loss of the light industrial/office use is not protected within the local plan or within any designated site. Furthermore the proposal would not result in a material impact on the appearance of the street scene, would not result in a loss of residential amenity and the demand for parking would not be significantly different from the previous use. Use as a Tattoo parlour is also covered by a Special Treatments Licence which covers a number of matters including hours of operation and control of potential nuisance.

The application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 COM22 Operating Hours

The premises shall not be used except between 0800 and 2000 Mondays-Saturdays and 0800 and 1800 Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

3 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans numbers SW 01, SW 02, SW 03, SW 04 and SW 05 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

INFORMATIVES

1 | 152 | Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
OE1	Protection of the character and amenities of surrounding properties

and the local area

OE3 Buildings or uses likely to cause noise annoyance - mitigation

measures

S6 Change of use of shops - safeguarding the amenities of shopping

areas

NPPF - Ensuring the vitality of town centres

3 I59 Councils Local Plan: Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

4 147 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs,

including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

5 | 15 | Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to: carry out work to an existing party wall:

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building. Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

6 I6 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

7 I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

- A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.
- B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.
- C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.
- D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section

61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is one of 7 units located around a yard at Swan Wharf in Uxbridge.

The overall application building is currently used for a B1 light industrial/office use, and has a floor area of 271 m2 over 2 floors. There are 7 parking spaces within the yard that are allocated to the unit.

To the North and East of Swan Wharf lie residential properties on Waterloo Road. To the West is the canal with residential properties in Andover Close beyond that.

To the South, on the other side of Cowley Mill Road, are industrial and commercial premises on either side of the canal, including a public house, and then residential properties with further commercial development behind.

The site lies within the 'developed area' as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The proposal involves partial change of use from light industrial/office use (Use Class B1) to use as a Tattoo Parlour (Sui Generis). The proposal involves physical separation through closure of an internal link between the two parts of the unit. No external alterations are proposed.

3.3 Relevant Planning History

41449/APP/2008/2186 Unit 1, Swan Wharf Waterloo Road Uxbridge

Elevation alterations comprising the installation of 2 windows on the first floor front elevation and additional windows and alterations to windows on both the side and rear elevations.

Decision: 08-10-2008 Approved

Comment on Relevant Planning History

None.

4. Planning Policies and Standards

See below.

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

OE1 Protection of the character and amenities of surrounding properties and the local

area

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
S6 Change of use of shops - safeguarding the amenities of shopping areas

NPPF - Ensuring the vitality of town centres

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Neighbours were notified on 23/05/2016 and a site notice was displayed on 20/06/2016.

By the end of the notification period 8 objections or comments were received from occupiers of neighbouring properties. Their comments relate to the following:

- 1. Hours of use.
- 2. Noise and disturbance.
- 3. Parking competition and anti social behaviour.

Ward Councillor: Requests that the application is reported to committee.

Internal Consultees

Environmental Health:

There are no environmental effects in relation to this development so therefore I do not have any objections to the application or comment thereof.

Highways:

The proposal from the existing B1(a) office/storage to tattoo parlour does not give rise to any specific concern on transport/highway grounds. This is due to the fact that a very marginal increase in day time use profile/intensity would be expected in comparison with the B1 use which is considered deminimis in highway impact terms. It is also noted that the site currently has 4 car parking spaces serving both the ground and first floor office units. These spaces are to be retained for the change of use of the ground floor to the tattoo parlour. There are no parking standards for this type of Sui Generis use but Hillingdon's adopted parking standards for B1a office uses require 1 car parking space per 100 sq.m of floor space and 1 cycle parking space per 50 sq.m. Against these standards the existing office use for both the ground and first floor (with a combined floor area of approximately 136 sq.m) would be in the order of 2 car parking spaces and 3 cycle spaces. On the premise that the proposed development retains the existing site parking arrangement with a total of 4 off-street car parking spaces, it is considered that the on-site parking provision (which is a current overprovision) is adequate to cater for the change of use of the ground floor unit. The proposal also retains the existing cycle provision of 4 cycle spaces located adjacent to the car parking spaces which is considered acceptable as the provision accords with the Council's cycle parking standard.

In summary there is no objection to the proposal on Transport/Highway grounds.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is not within a defined shopping or business/industrial area. Thus policies relating to the protection of uses within shopping frontages or within any other designation are not applicable. The unit is not located in an area where the loss of the existing /light industrial/office would be considered unacceptable.

Policy S6 concerns the protection of retail areas and whilst not directly applicable, it states that changes of use will be granted where; a frontage of design appropriate to the surrounding area is maintained or provided; the use would be compatible with neighbouring uses and will not cause unacceptable loss of amenity to nearby residential properties; and would have no harmful effect on road safety or worsen traffic congestion. The proposal would not result in any alterations to the exterior of the building, is considered to be compatible with the other uses within Swan Wharf, and the unit is sufficiently removed from adjoining residential premises to ensure that that there would be no undue impact on residential amenities that would be such as to warrant refusal of the application. Neither would the road safety or traffic congestion impacts be unacceptable. Thus, in principle the proposed use is considered acceptable.

7.02 Density of the proposed development

Not applicable to this application.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

There are no external changes.

7.08 Impact on neighbours

The parking demand for this use is likely to be extremely low and is unlikely to have a detrimental impact on amenities of neighbouring properties, as confirmed by the highways officer comments above. The hours of operation are covered by a Special Treatments Licence which also places the onus on the operator not to cause nuisance, but the operating hours can be the subject of a planning condition. The proposed use is unlikely to have a greater impact on adjoining occupiers than the existing authorised use of the property. As such the proposal is considered to be acceptable in terms of Policies OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The site is situated on the West side of Waterloo Road and is located in small industrial area within mixed use residential street. 4 off-street car parking spaces have been specified for the proposed development, which maintains the current level. The scheme will generate its own parking demand. However, given the extremely small nature of the proposed unit, the traffic generation is likely to be insignificant and little different from the existing use.

Therefore, it is concluded that the proposal complies with policies AM7, AM9 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

There are no external alterations proposed as part of this application and therefore the existing frontage will be retained. As such the proposal is considered to comply with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.12 Disabled access

The site has level access. No adverse issues are raised.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Tattoo parlours are subject to licensing (Special Treatments Licence). The Licence must be displayed. The License covers matters including potential nuisance being caused in the area. The STL also imposes opening hours conditions.

7.19 Comments on Public Consultations

The issues raised have been covered in the main body of the report.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

The principle of development, is considered to be acceptable as the loss of the light industrial/office use is not protected within the local plan or within any designated site. Furthermore the proposal would not result in a material impact on the appearance of the street scene, would not result in a loss of residential amenity and the demand for parking would not be significantly different from the previous use. Use as a Tattoo parlour is also covered by a Special Treatments Licence which covers a number of matters including hours of operation and control of potential nuisance.

The application is recommended for approval.

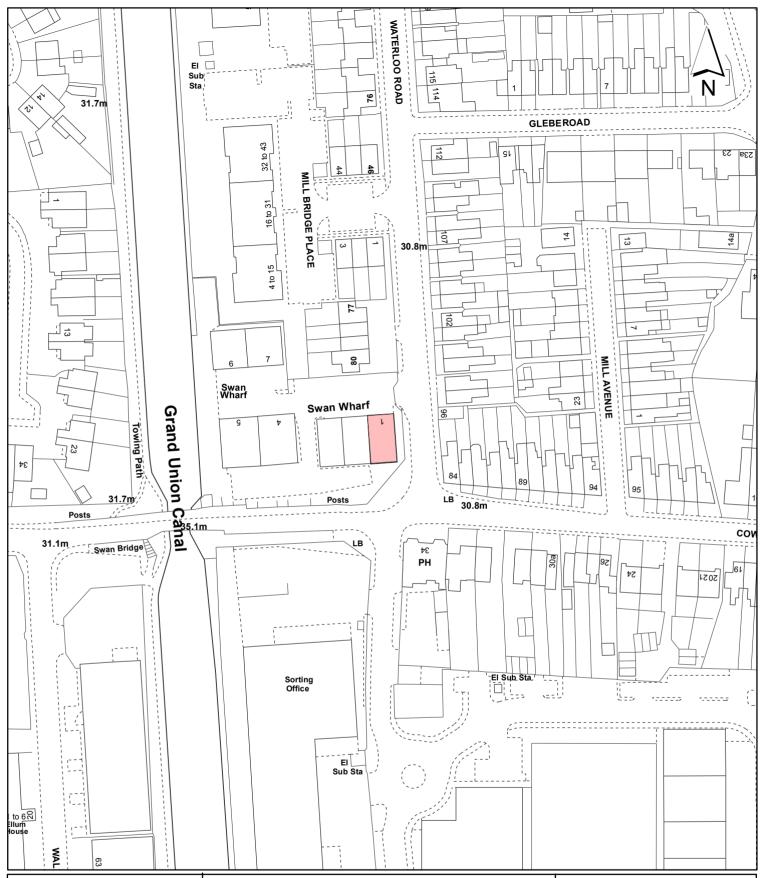
11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

The London Plan (2016)

National Planning Policy Framework National Planning Policy Guidance

Contact Officer: Amit Patel Telephone No: 01895 250230







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Unit 1 Swan Wharf Waterloo Road

Planning Application Ref: 41449/APP/2018/930

Scale:

1:1,250

Planning Committee:

Central & Soptage 50

Date:

June 2018

LONDON BOROUGH OF HILLINGDON Residents Services

Residents Services
Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



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PART II by virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.



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PART II by virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.



Plans for Central & South Applications Planning Committee

Tuesday 26th June 2018





Report of the Head of Planning, Transportation and Regeneration

Address 2A CHERRY GROVE HILLINGDON

Development: The retention of existing garage

LBH Ref Nos: 25666/APP/2018/1721

Date Plans Received: 10/05/2018 Date(s) of Amendment(s):

Date Application Valid: 10/05/2018





2a CHERRY GROVE HILLINGDON UB8 3ET BLOCK/SITE PLAN AREA 90m x 90m SCALE 1:500 on A4 CENTRE COORDINATES: 508008, 181615



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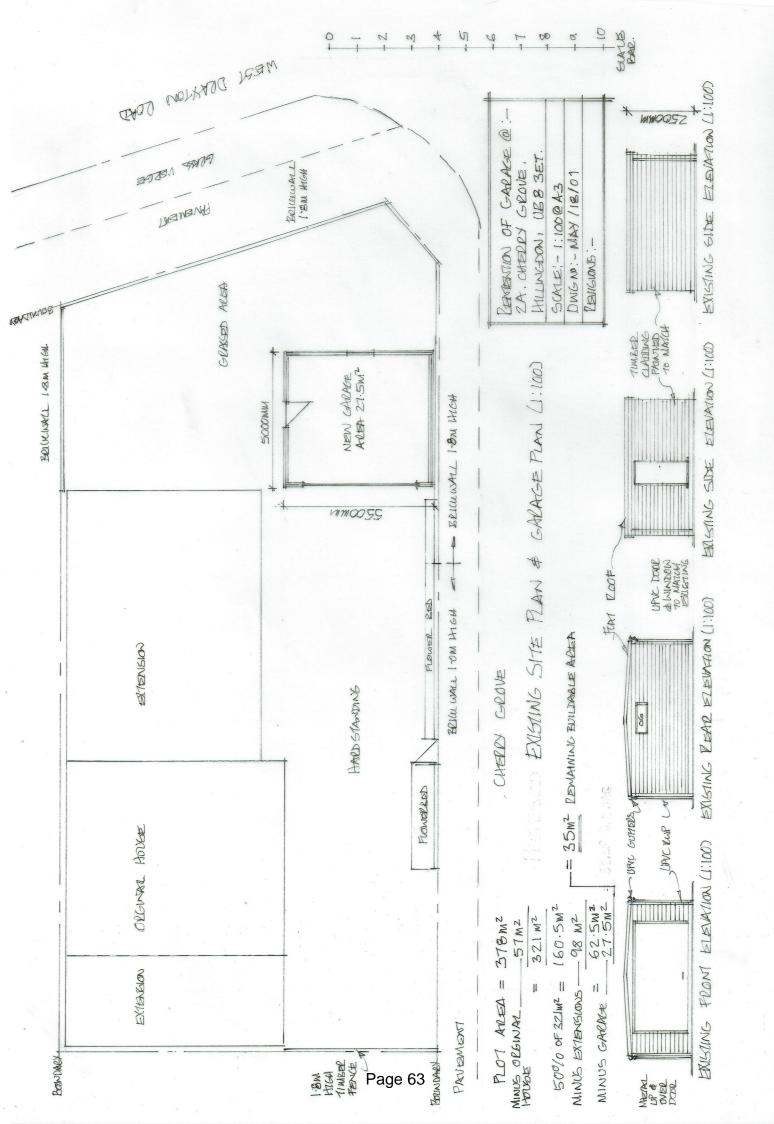
2a CHERRY GROVE HILLINGDON UB8 3ET SITE LOCATION PLAN AREA 2 HA

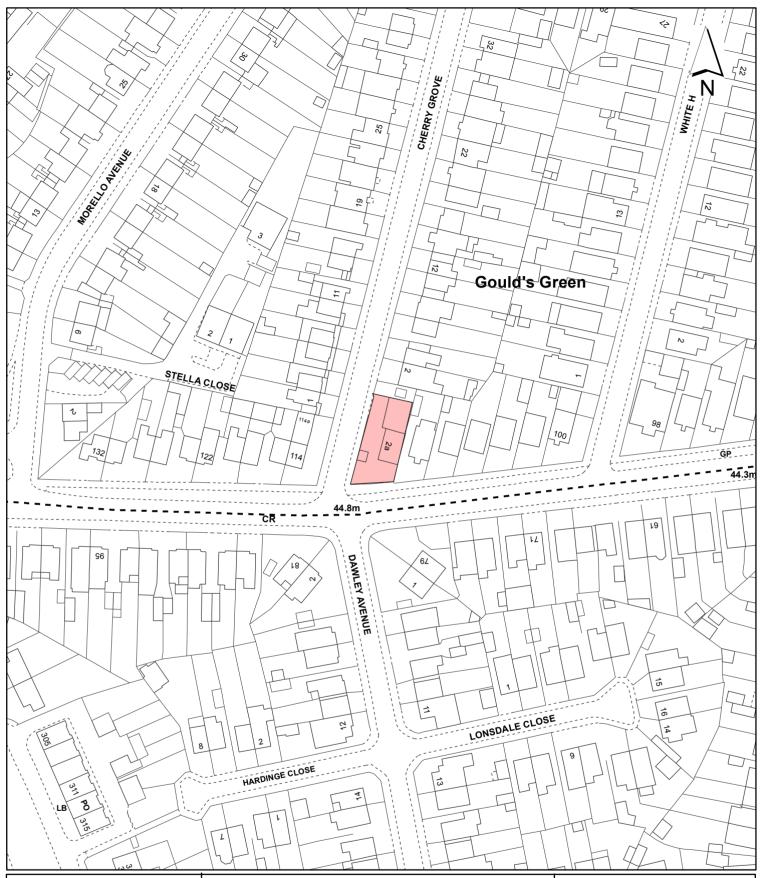
SCALE 1:1250 on A4 CENTRE COORDINATES: 508008, 181615





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Site Address:

2A Cherry Avenue

25666/APP/2018/1863

Scale:

1:1,250

Planning Committee:

Planning Application Ref:

Central & Soptige 64

Date:

June 2018

LONDON BOROUGH OF HILLINGDON **Residents Services**

Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



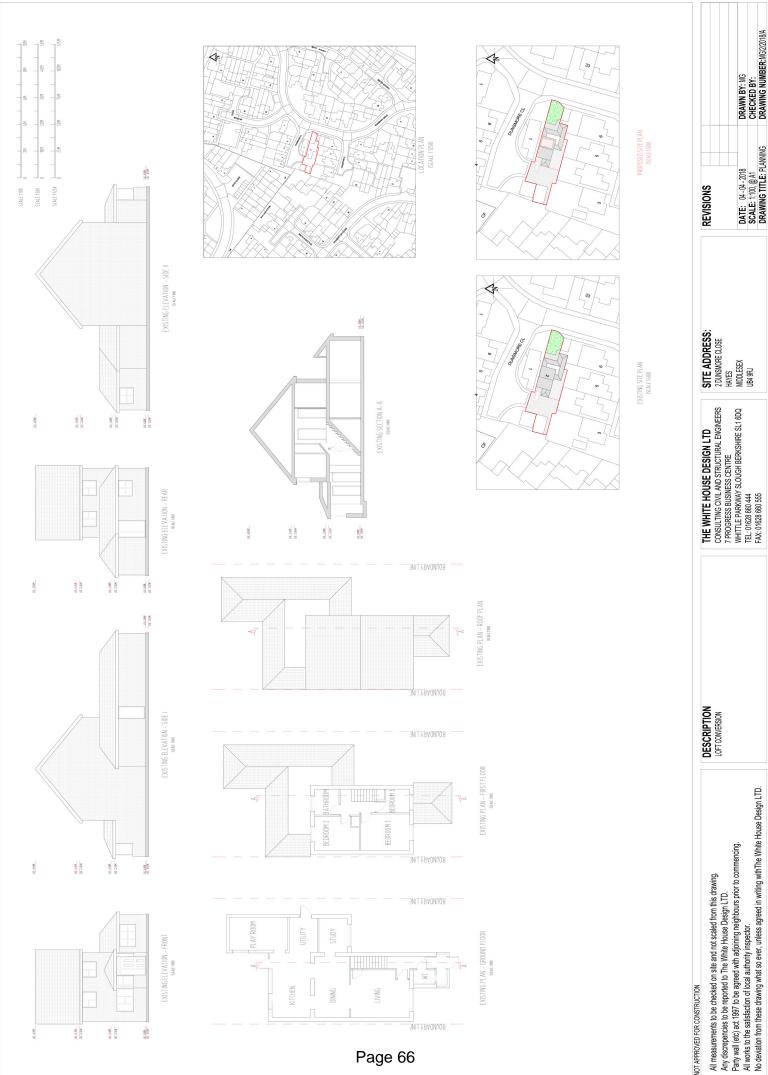
Address 2 DUNSMORE CLOSE HAYES

Development: Conversion of roofspace to habitable use to include a rear dormer.

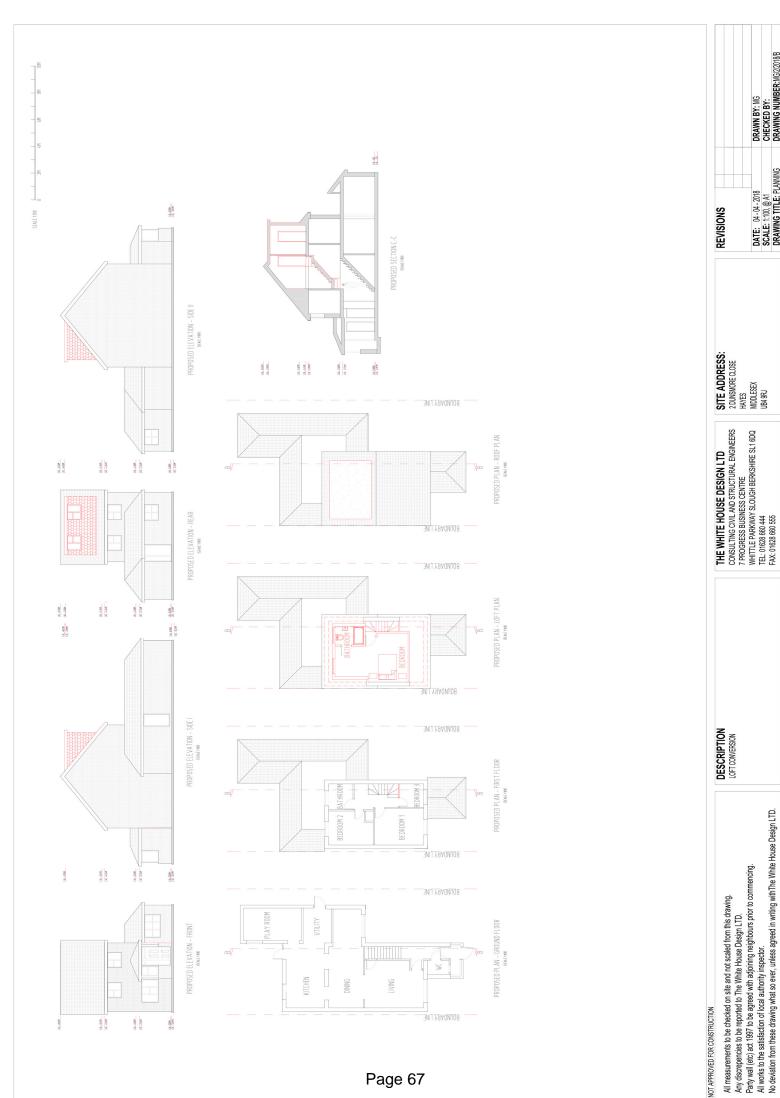
LBH Ref Nos: 43764/APP/2018/1254

Date Plans Received: 04/04/2018 Date(s) of Amendment(s):

Date Application Valid: 04/04/2018

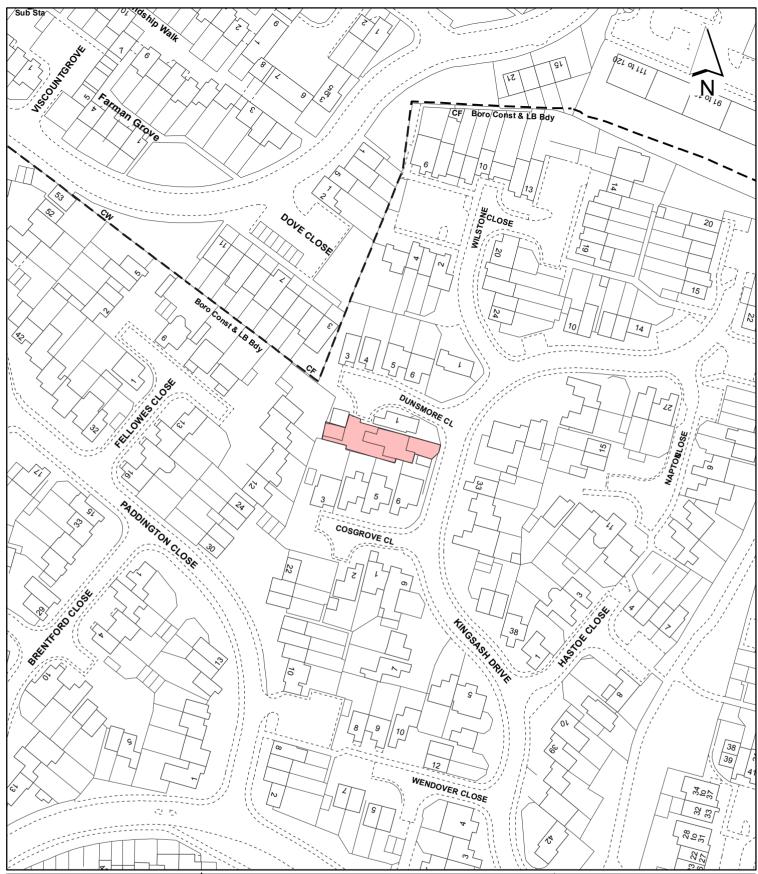


NOT APPROVED FOR CONSTRUCTION



DRAWN BY: MG CHECKED BY: DRAWING NUMBER: MG/2/2018/B

DATE: 04 - 04 - 2018 SCALE: 1:100, @ A1 DRAWING TITLE: PLANNING



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2 Dunsmore Close Hayes

Planning Application Ref:
43764/APP/2018/1254

Scale:

1:1,250

Planning Committee:

Central & Soptinge 68

Date:

June 2018

LONDON BOROUGH OF HILLINGDON Residents Services

Planning Section
Civic Centre, Uxbridge, Middx. UB8 1UW

Telephone No.: Uxbridge 250111



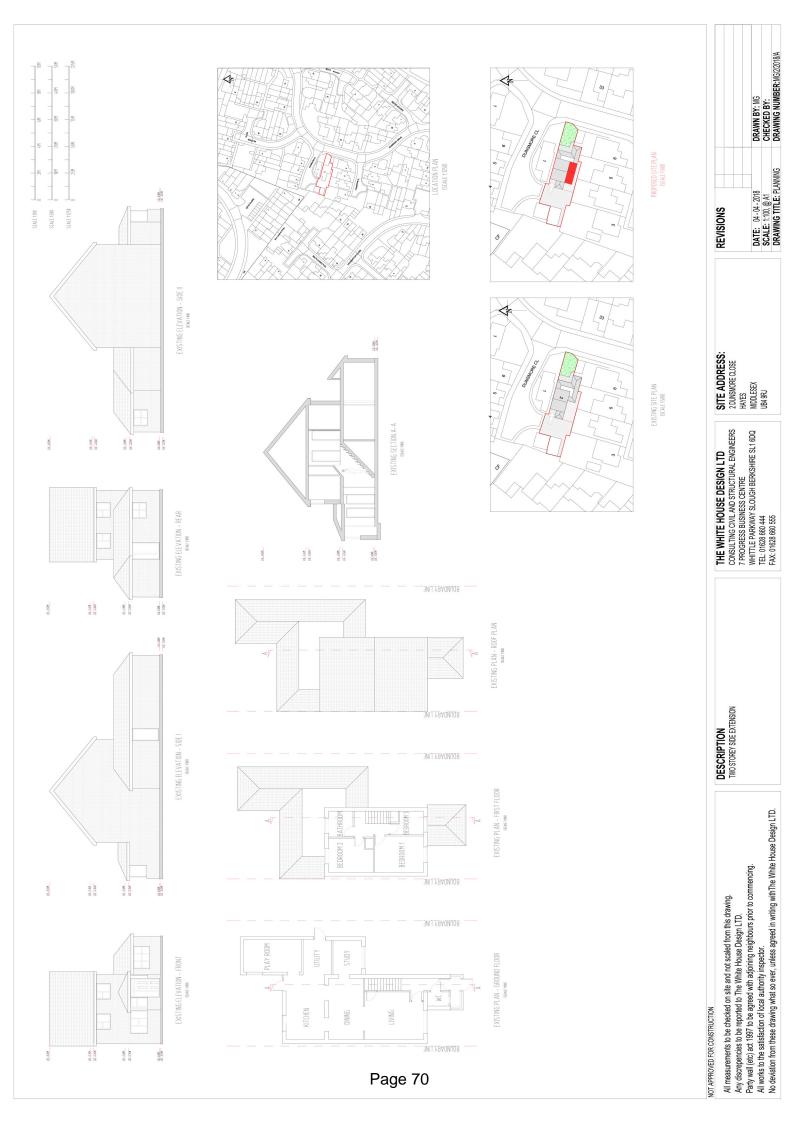
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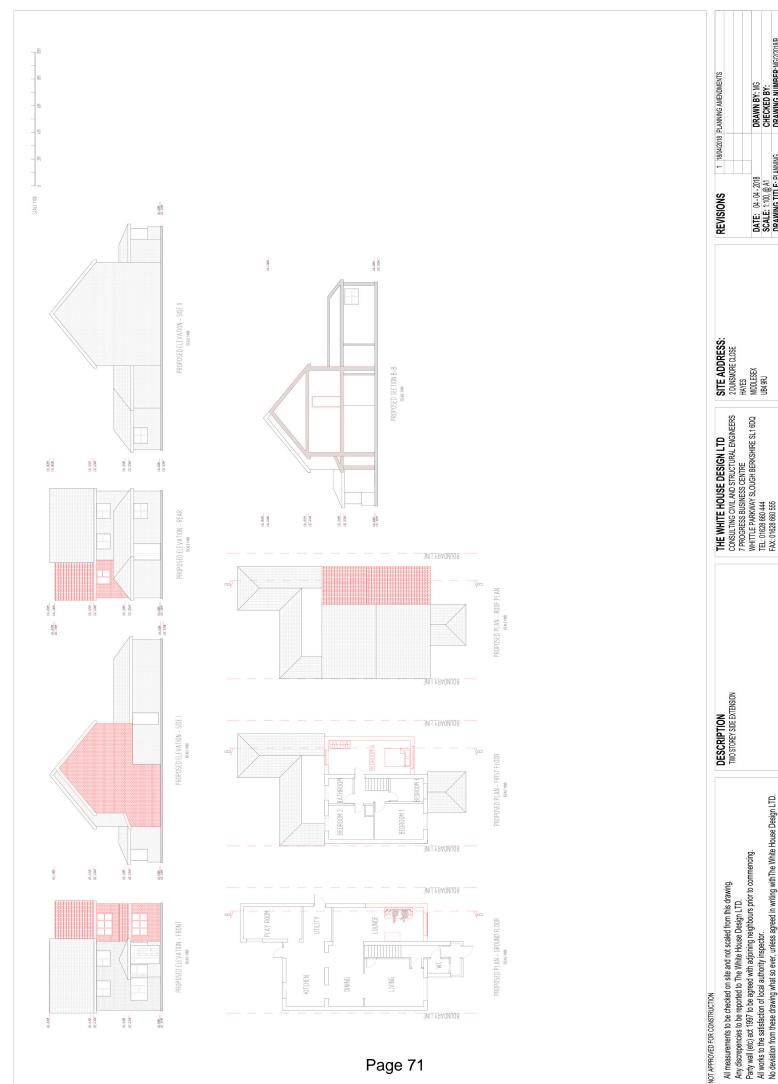
Development: Part two storey, part first floor side extension.

LBH Ref Nos: 43764/APP/2018/1257

Date Plans Received: 04/04/2018 Date(s) of Amendment(s): 04/04/0018

Date Application Valid: 23/04/2018





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DATE: 04 - 04 - 2018 SCALE: 1:100, @ A1 DRAWING TITLE: PLANNING

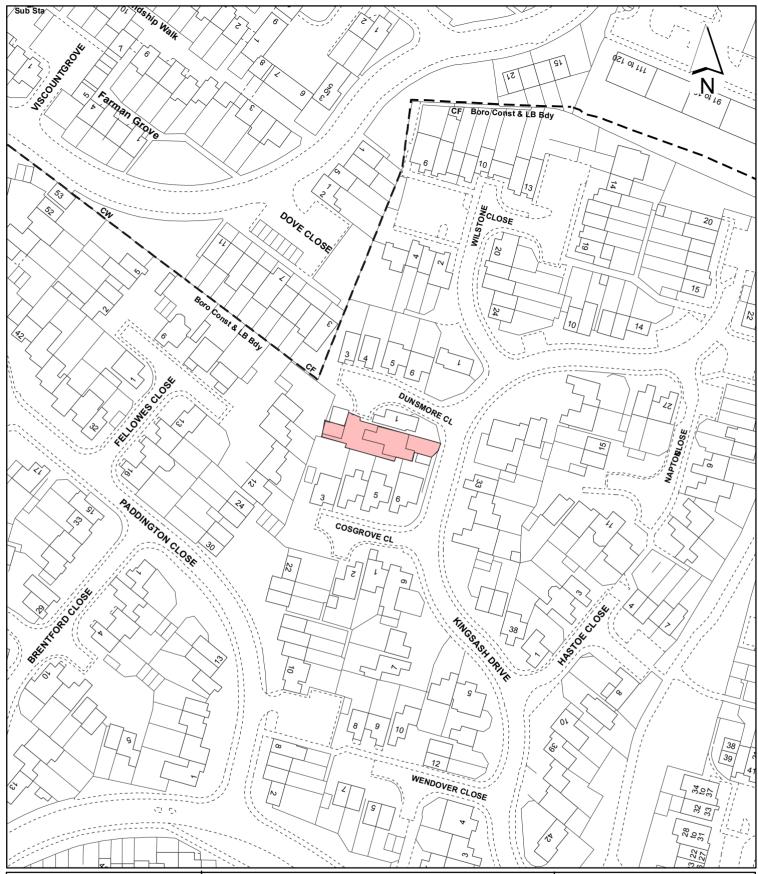
All measurements to be checked on site and not scaled from this drawing.

Any discrepencies to be reported to The White House Design LTD.

Party wall (etc) act 1997 to be agreed with adjoining neighbours prior to commencing.

All works to the satisfaction of local authority inspector.

No deviation from these drawing what so ever, unless agreed in writing withThe White House Design LTD.



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Site Address:

2 Dunsmore Close **Hayes**

Planning Application Ref: 43764/APP/2018/1257 Scale:

1:1,250

Planning Committee:

Central & Soptinge 72

Date:

June 2018

LONDON BOROUGH OF HILLINGDON **Residents Services**

Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



Address 47 HEATH ROAD HILLINGDON

Development: Conversion of attached garage to habitable use, including alterations to front

elevation.

LBH Ref Nos: 21236/APP/2018/1863

Date Plans Received: 18/05/2018 Date(s) of Amendment(s):

Date Application Valid: 18/05/2018



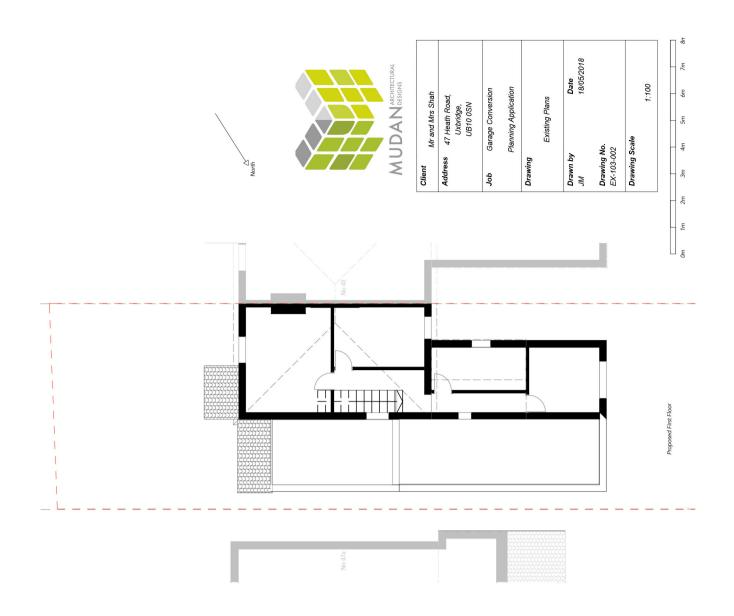


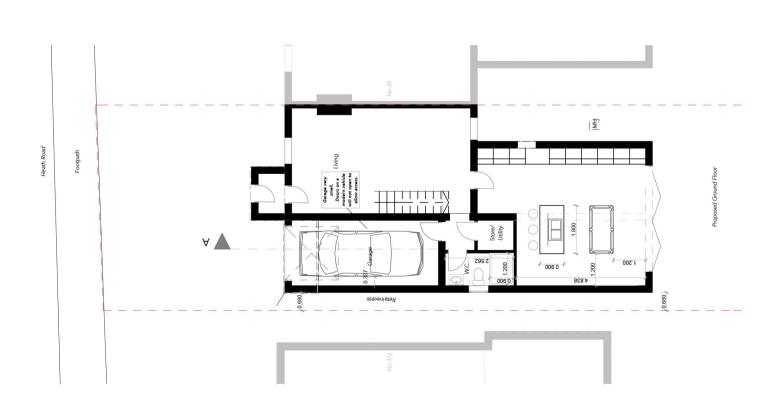
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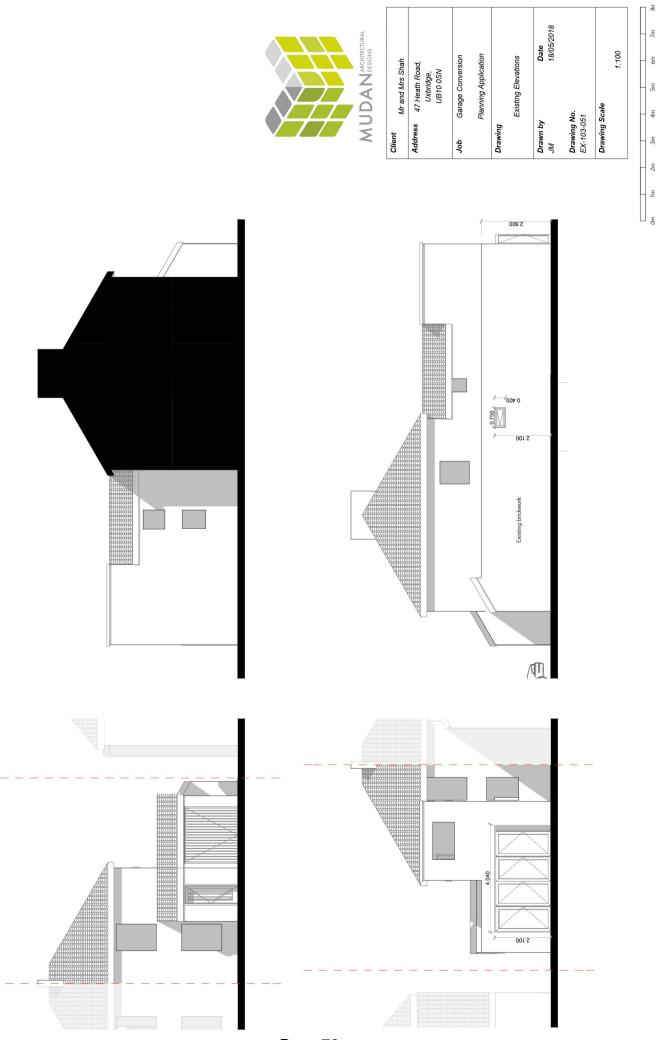


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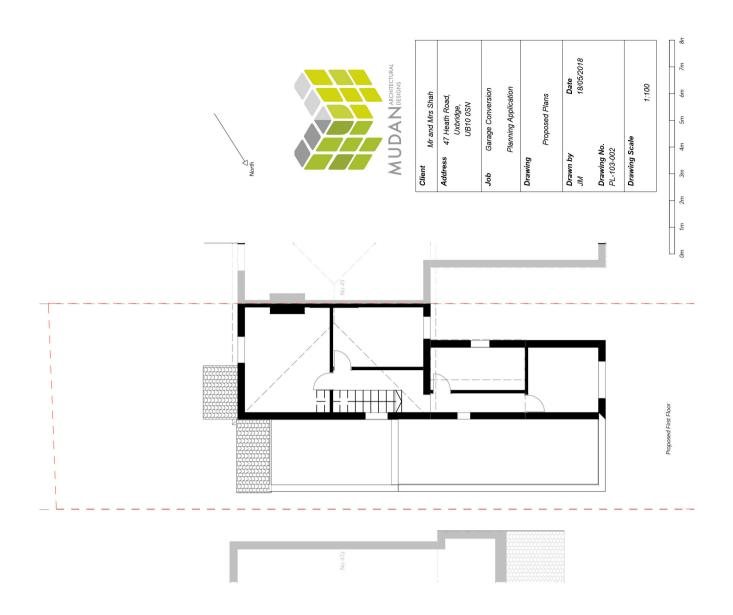


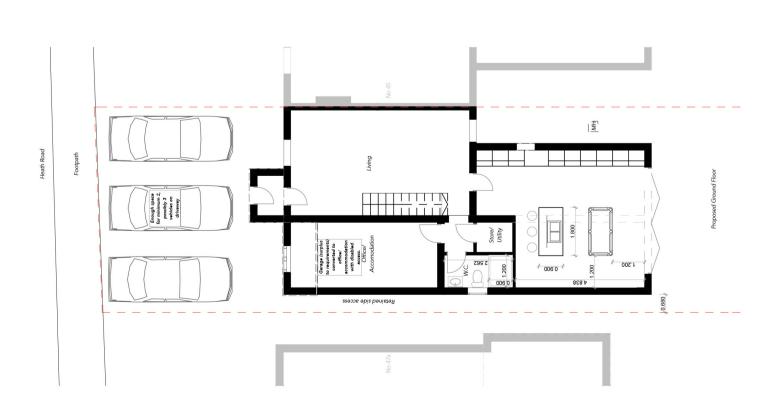


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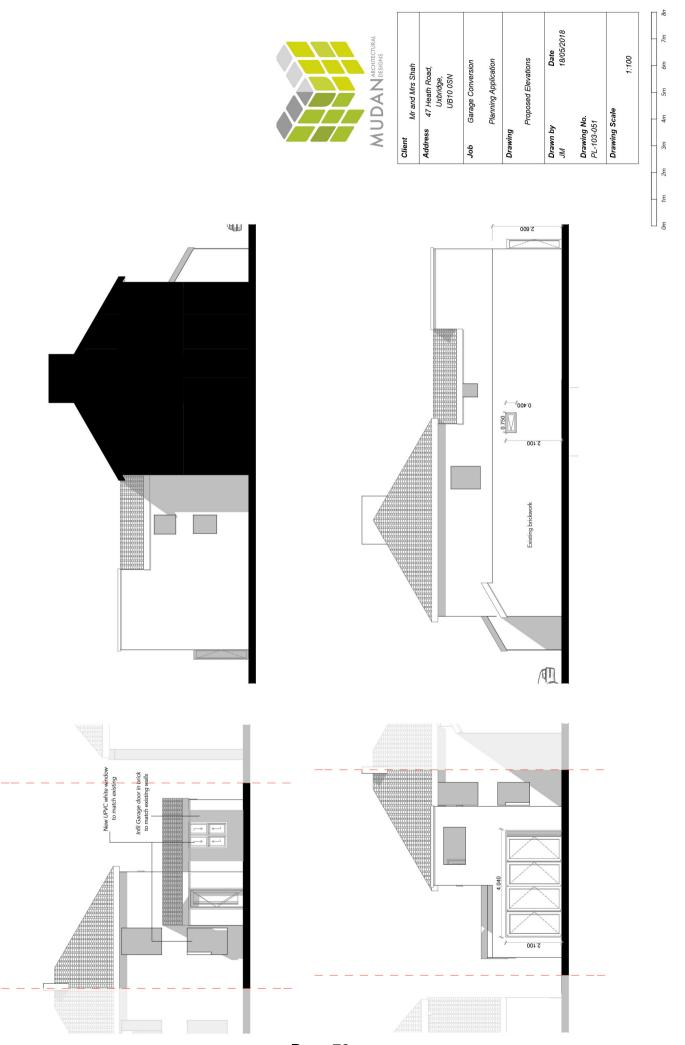


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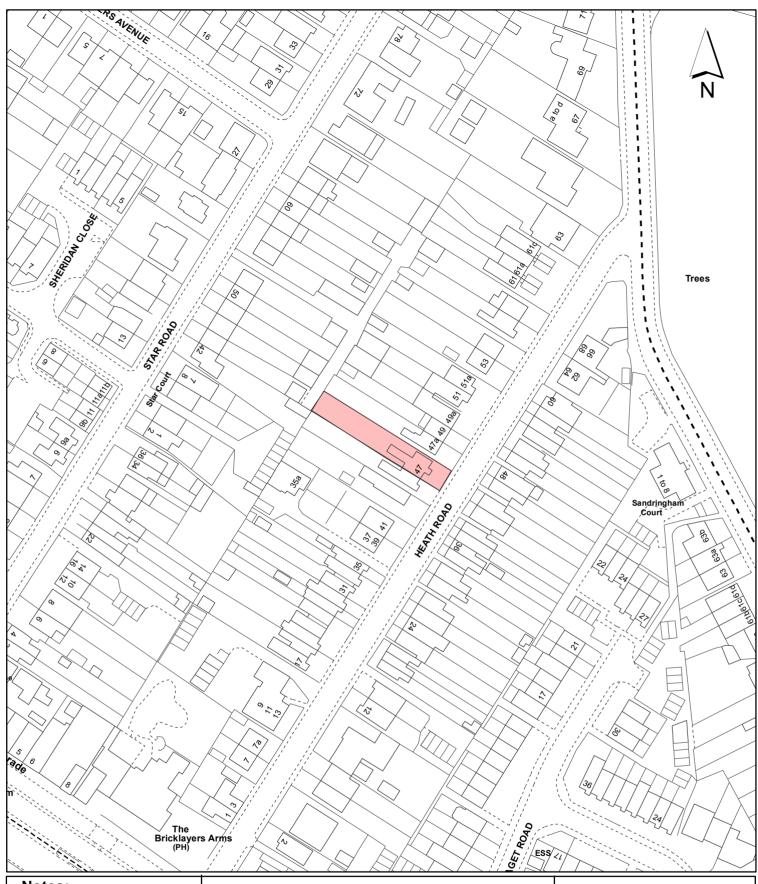




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Site Address:

47 Heath Road

Planning Application Ref: 21236/APP/2018/1863 Scale:

1:1,250

Planning Committee:

Central & Screetige 79

Date:

June 2018

LONDON BOROUGH OF HILLINGDON **Residents Services** Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111



Address UNIT 1, SWAN WHARF WATERLOO ROAD UXBRIDGE

Development: Change of use of ground floor from office (B1a) to tattoo parlour (Sui Generis)

LBH Ref Nos: 41449/APP/2018/930

Date Plans Received: 12/03/2018 Date(s) of Amendment(s): 12/03/0018

Date Application Valid: 27/03/2018

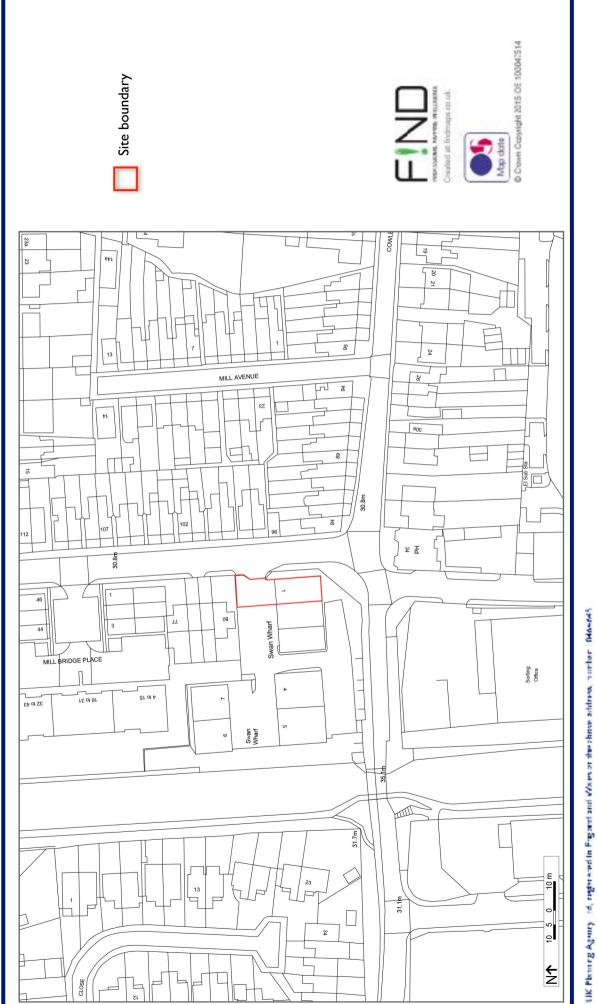
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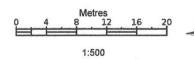






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Titan, Unit 1, Swan Wharf Business Centre, Waterloo Rd, Uxbridge UB8 2RA

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UNIT 1, SWAN WHARF, WATERLOO ROAD, UXBRIDGE, MIDDLESEX, UB8 2RA

february 2018

UNIT 1 , SWAN WHARF , WATERLOO ROAD , UXBRIDGE , MIDDLESEX , UB8 2RA

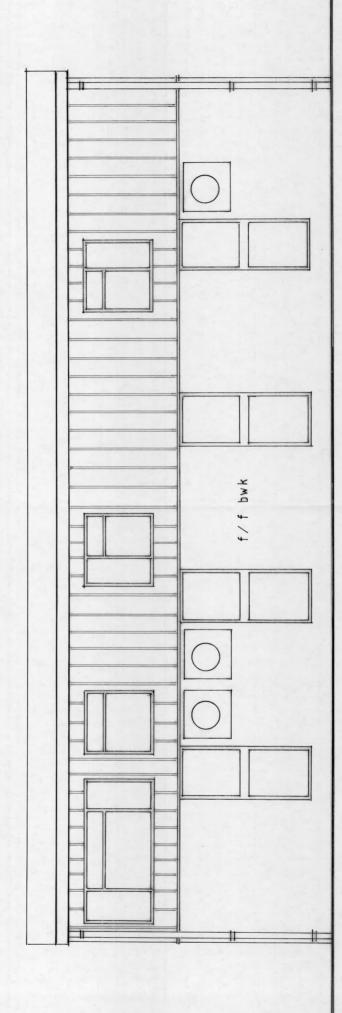
february 2018

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- Scale = 1:50

First. Floor Plan - As Existing and Proposed

UNIT 1, SWAN WHARF, WATERLOO ROAD, UX BRIDGE, MIDDLESEX, UB8 2RA



As Existing and Proposed Side Elevation - Facing Waterloo Road

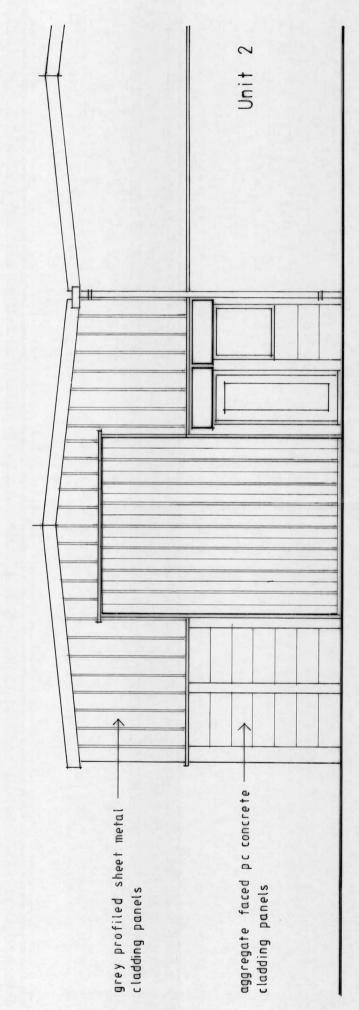
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february 2018

MIDDLESEX, UB8 2RA UXBRIDGE, UNIT 1, SWAN WHARF, WATERLOO, ROAD,

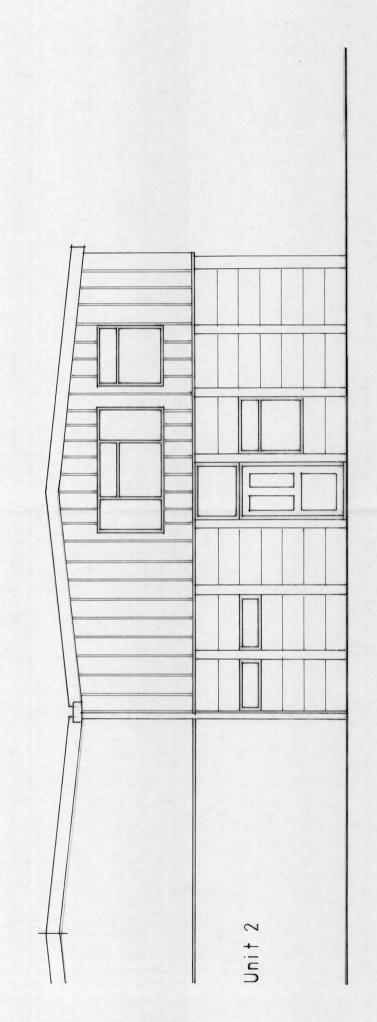


End Elevation - Facing Service Yard - As Existing and Proposed

= 1:50 Scale



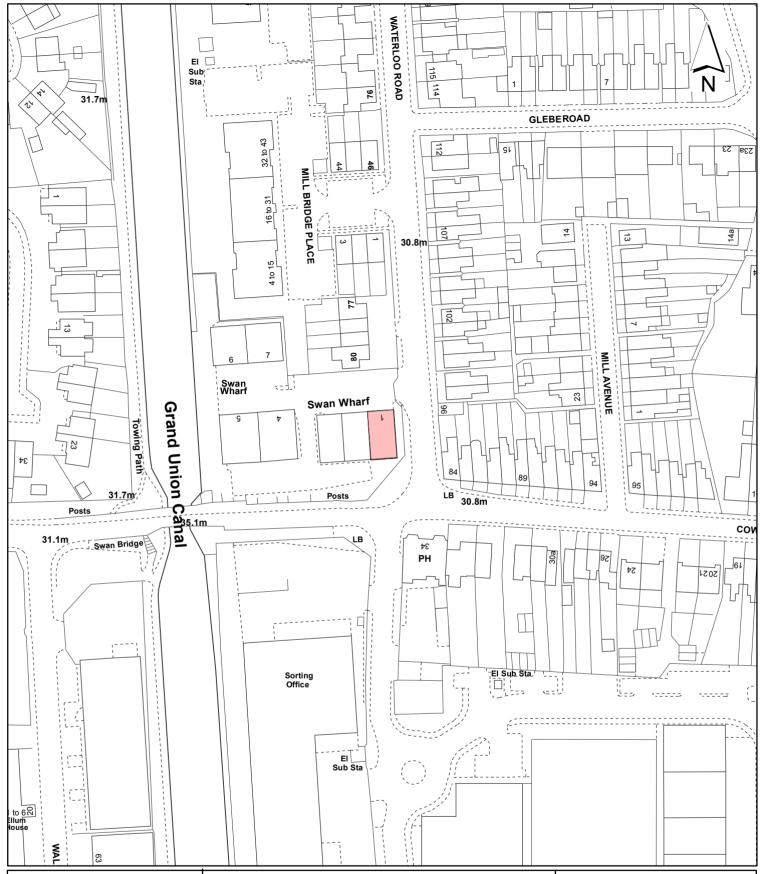
UNIT 1, SWAN WHARF, WATERLOO ROAD, UXBRIDGE, MIDDLESEX, UBB 2RA



End Elevation - Facing Cowley Mill Road - As Existing and Proposed

Scale = 1:50

3m february 2018



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Unit 1 Swan Wharf Waterloo Road

Planning Application Ref: 41449/APP/2018/930

Scale:

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Planning Committee:

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Date:

June 2018

LONDON BOROUGH OF HILLINGDON Residents Services

Residents Services
Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111

